

## EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. CHAVEZ in the chair) laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the Committee on Finance.

(For nominations this day received, see the end of Senate proceedings.)

## EXECUTIVE REPORT OF A COMMITTEE

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nomination of Walter S. Cressman to be postmaster at Gwynedd Valley, Pa., in place of W. S. Cressman.

The PRESIDING OFFICER. The report will be placed on the calendar.

If there be no further reports of committees, the clerk will state the first business in order on the calendar.

## UNITED STATES TARIFF COMMISSION

The legislative clerk read the nomination of Edward Dana Durand, of Minnesota, to be a member of the United States Tariff Commission.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

## DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk read the nomination of Dudley G. Dwyre, of Colorado, to be consul general.

Mr. ADAMS. Mr. President, I should like to have that nomination go over, because I find that neither of the Senators from Colorado knows the gentleman who has been nominated, and he seems to come from Colorado. We should like to make some inquiry concerning him.

The PRESIDING OFFICER. The nomination will be passed over.

## POSTMASTER

The legislative clerk read the nomination of Bearge M. Hagopian to be postmaster at Madison, Maine.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

## IN THE NAVY

The legislative clerk proceeded to read sundry nominations in the Navy.

Mr. ROBINSON. I ask unanimous consent that the nominations in the Navy be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the Navy nominations will be confirmed en bloc.

## IN THE MARINE CORPS

The legislative clerk read the nomination of Col. Harold C. Reisinger to be paymaster in the Marine Corps.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

That completes the calendar.

## RECESS

The Senate resumed legislative session.

Mr. ROBINSON. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 2 o'clock and 50 minutes p. m.) the Senate took a recess until tomorrow, Friday, February 14, 1936, at 12 o'clock meridian.

## NOMINATIONS

*Executive nominations received by the Senate February 13 (legislative day of Jan. 16), 1936*

## ASSISTANT SECRETARY OF THE TREASURY

Wayne C. Taylor, of Illinois, to be Assistant Secretary of the Treasury, in place of Lawrence Wood Robert, Jr., resigned.

## COLLECTOR OF INTERNAL REVENUE

William Driscoll, of Pittsburgh, Pa., to be collector of internal revenue for the twenty-third district of Pennsylvania, to fill an existing vacancy.

## CONFIRMATIONS

*Executive nominations confirmed by the Senate February 13 (legislative day of Jan. 16), 1936*

## UNITED STATES TARIFF COMMISSION

Edward Dana Durand to be a member of the United States Tariff Commission.

## PROMOTIONS IN THE NAVY

## TO BE CAPTAINS

Frank J. Wille  
Elwin F. Cutts

## TO BE COMMANDERS

Henry P. Burnett  
Herbert V. Wiley

## TO BE LIEUTENANT COMMANDERS

Chester L. Walton	Austin K. Doyle
Charles C. Hartman	William E. Miller
Charles M. Huntington	Charles D. Murphey
Carroll T. Bonney	Leslie C. Stevens
Richard H. Cruzen	

## TO BE LIEUTENANTS

John J. Laffan	Phillip H. FitzGerald
John G. Blanche, Jr.	John G. Hughes, Jr.
Harry L. Ferguson, Jr.	John G. Johns
John J. Hourihan	Gelzer L. Sims
Charles M. Ryan	Graham C. Gill
Edward A. McFall	Thomas J. Hickey
Frederick P. Williams	Clyde M. Jensen

## TO BE MEDICAL DIRECTOR

Gordon D. Hale

## TO BE CHIEF GUNNER

Harlow Hines

## TO BE CHIEF MACHINISTS

Guy B. Ray	William A. Smith
Homer K. Davidson	James J. Marron
Glenn Gardner	Horace M. Chance
James W. Dyckman	

## TO BE PAY DIRECTOR

David Potter

## MARINE CORPS

Col. Harold C. Reisinger to be the Paymaster of the Marine Corps.

## POSTMASTER

## MAINE

Bearge M. Hagopian, Madison.

## HOUSE OF REPRESENTATIVES

THURSDAY, FEBRUARY 13, 1936

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, unto whom all hearts are open, all desires known, and from whom no secrets are hid, cleanse the thoughts of our hearts by the inspiration of Thy Holy Spirit, that we may perfectly love Thee and worthily magnify Thy holy name. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

## MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries.

## PAYMENT OF INTEREST ON LOANS TO VETERANS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to speak for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, in the RECORD, at page 627, I inserted a statement on why the veterans are not paid interest on loans since 1931.

In this statement in regard to the \$60 that was paid to each veteran on discharge I said that the high-salaried officers during the war received the \$60 and were not required to pay it back. I failed to state, which I should have, that the enlisted man who served only 1 day was given \$60. Every person who was honorably discharged from the Army was paid the \$60 whether his service was 1 day or more. The high-ranking officers were not required to pay their \$60 back and the men who served 1 day were not required to pay their \$60 back, and therefore it was not right to deduct the \$60 from the adjusted-service certificates. This correction has been made in the recent law that was passed.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. COX. Mr. Speaker, I ask unanimous consent that on Monday next, following the reading of the Journal and disposition of matters on the Speaker's desk, I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

#### EFFECTIVE INSURANCE—OUR NATIONAL DEFENSE

Mr. SNYDER of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. SNYDER of Pennsylvania. Mr. Speaker, our worthy and distinguished chairman of the Subcommittee on War Appropriations [Mr. PARKS], and our able and congenial ranking chairman [Mr. BOLTON], and other members of the subcommittee have gone into the details of this bill in such a way that it would be largely repetition for me to enlarge on any of the several items embodied in the bill. I, therefore, invite your attention to what we might call the conservation side or the economy side of the appropriations embodied in this bill, and a somewhat detailed statement of the Army's air equipment.

Mr. Speaker, the appropriation bill now under consideration is to provide funds for a national defense. In other words, the appropriation is for an adequate police force to protect the United States against any foreign foe that might try to disturb our peace along our coasts, on our mainland, or on our possessions.

Your committee has spent much time in going into the details of our national defense during the last 5 months. In order that your committee might have first-hand knowledge of just what the Nation's defense equipment is at present, five members of the committee traveled thousands of miles purposely to inspect the Nation's defense equipment in Panama, Honolulu, the western coast, the Mexican border, and portions of the interior of the mainland. After seeing what we have on hand and checking up with the Bureau of the Budget and the General Staff, as well as the corps area commanders and the heads of the various departments, we are convinced that the estimates for the various items set forth in this bill are justifiable.

In one respect I am sure that I voice the sentiment of every member of the committee. That is, every member of this Committee on War Appropriations is bitterly opposed to this Nation appropriating money to prepare for war. We are opposed to war. Your committee considers this appropriation, and rightly so, as an appropriation to preserve peace.

This is a very small appropriation for national defense as compared with the appropriations in other major countries of the world. Your committee further thinks that an adequate national defense is the cheapest insurance that a nation can carry. You will observe that the military item in this bill is less than the nonmilitary item is. It is the military item that most people are interested in. Naturally, we have a small group of people in the United States who are opposed to spending any money for national defense. They are usually classified as pacifists,

It was my pleasure sometime ago to talk to a very splendid group of men who classified themselves as pacifists. I asked this group if they had an adequate fire department and an adequate police force in their city. Of course they said they had. I then asked them if they would vote to do away with their police force and their fire department of their city. Of course, they said they would not. They said that they would not feel safe to go to bed at night if they would do away with their police force and their fire equipment.

I then asked them if they were in favor of the State militia, the State police force, and the State motor patrol. All but one said that they were in favor of it. This one said he was in favor of the State police force and the State motor patrol, but he was not in favor of the State militia. I then pointed out to him one occasion where the State militia was called out to prevent bloodshed in the community in which he lived, and after he thought of that for a minute he said, "Well, I suppose it is all right to have a State militia."

I then said to this group: "If you are in favor of having this protection for your own city, if you are in favor of having a similar protection for your own State, why, of course, you are in favor of having a well-equipped police force and a well-equipped fire department to protect your Nation, the United States of America." I explained that all that the war appropriations covered was enough money to equip the United States with sufficient coast equipment, airplane equipment, and so forth, so that in case of emergency we could say to any foreign foe, "Keep away from our shores." At the conclusion of our chat they were all in favor of national defense such as we have in mind in asking for this appropriation.

In other words, Mr. Speaker, it is the desire of this committee and, I think, all of the Members of Congress, to go along with the Nation's splendid traditions of the past. That is, we are not going to prepare for war. We have no grudge against any nation. As a nation, we are not greedy. We want no other possessions. We just want to be left alone.

I know all of the arguments that are put up by the various groups against building forts and guns and airplanes and battleships and the like. I have heard them for a quarter of a century. They would all be good arguments if we were dealing with material things instead of human beings. But, as long as we have powerful nations that do not regard treaties, as long as we have governments that are greedy for power and possessions, just so long we as a nation must have adequate national defense.

History shows us that nations that prepare to go to war always lose in the end. There is not a single instance in history where a nation was motivated by the idea of conquest and plunder where in the end they did not lose. In other words, it is with nations as it is with individuals. If nations try to climb up at the expense of their weaker brothers they always fall, and the higher they climb the harder they fall. Take Spain as a recent example.

Mr. Speaker, in my opinion, we should have a more adequate air force.

Mr. Speaker, the report of the Committee on Appropriations carries for the Army Air Corps a substantial increase over the current year appropriations, and therefore represents a recognition on the part of that committee not alone of the existing economic conditions which reflect a higher cost for new types of aircraft but also reflects a continuing appreciation on the part of that committee of the need for increase and growth of the Air Corps. As a member of that committee, I, of course, concur in its report and recommendations to this House under the existing conditions. The committee has considered itself bound to respect the budgetary limitations of the President.

However, I am personally of the opinion that the Congress should take under serious advisement the question of whether or not we should again at this time establish a new aircraft-procurement program for the Army. The recommendations of the so-called Baker Board and of the President's Aviation Commission, together with those of the military authorities, including Gen. Douglas MacArthur, former Chief of Staff, and the present Chief of Staff, Gen. Malin Craig, indicate that the



objectives set forth for the Army Air Corps in the act of Congress passed July 2, 1926, the so-called Army Air Corps 5-year program, have not yet been attained, nor are they likely to be attained until new programs are established and additional funds appropriated.

The development of aviation is so great that the designs of aircraft of the year 1926 are today hopelessly obsolete in comparison with the modern designs of combat, service, and training aircraft. The period of 10 years since the enactment of that legislation in 1926 represents almost one-third of the entire life of heavier-than-air aviation. When considered in this light, I am sure that my colleagues will realize that piecemeal provision for increasing the Air Corps not alone to the original objective of 1,800 serviceable airplanes but up to the ultimate of 2,320 airplanes recommended by the War Department will never keep step with the progress of aviation, and that we must be farseeing enough and provide legislation of such broad and flexible scope that the military authorities can really accomplish something.

Report of the Appropriations Committee indicates a belief that the objective of 1,800 serviceable airplanes for the Regular Army and the National Guard has already been attained. Perhaps this is true when we deal with a matter of figures only. However, the testimony of technical men who are the advisers of the War Department and Congress clearly indicate that such a conclusion is erroneous and misleading and that the effectiveness of our military combat aviation, the so-called General Headquarters Air Force, cannot be attained through the use of a conglomeration of aircraft of widely varying degrees of obsolescence.

The effectiveness of our fighting air forces can be attained, in my opinion, only when provision is made for homogeneous equipment, or at any rate for equipment of comparable and effective power, range, and speed. The General Headquarters Air Force is for the Army its first line of defense. You and I well know that it may also be considered the Nation's first line of defense. It must be ready for effective employment in combat immediately upon the outbreak of war. Its training in peacetime is such as to insure its concentration on any of our continental frontiers within 24 hours of the issuance of the order for the creation of the emergency requiring such concentration. To accomplish this concentration with reduced strength, with inferior and obsolete equipment, with insufficient armament, with lack of supplies for maintenance and operations, will constitute a military weakness rather than a factor of strength for defense. No defensive weapon which lacks offensive power can be effective against the offensive weapons of an enemy threatening our frontiers.

My colleagues, I submit to you my personal belief that the time has come when we must provide specifically for broad legislation and adequate appropriations not alone to bring the Air Corps up to its scheduled strength in personnel and airplanes but also up to the strength and efficiency desired by the War Department for this arm of the service, and in addition to provide for a program for sustained replacement and maintenance of aircraft. It is my firm conviction that under existing circumstances the sum of money recommended for appropriation for the Army Air Corps in the report of the Committee on Appropriations is the absolute minimum which should be provided for that purpose and in the interests of national defense. The amount appropriated should really be almost doubled for this year in order to remedy past deficiencies and to keep pace with the remarkable developments in military aviation throughout the world.

This view is supported by the Secretary of War, who in his last annual report states that we should procure 800 airplanes each year for a period of 5 years, whereas our appropriation provides only for a maximum of 565 new airplanes. The reason for this number—565—is that your committee is hewing close to the Budget line.

If I had my way, I would build one battleship less next year and thus be able to build with this money 300 more airplanes of the different types that dovetail into an effective air force. I would make or build air bases at Fairbanks, Alaska; San Francisco, Calif.; Los Angeles, Calif.; San Diego, Calif.; Panama Canal Zone; Hawaii; Fort Bliss,

Tex.; and San Antonio, Tex., and thus be able to ward off our enemies on the West and South in case of emergency.

The best estimates available show that other nations have available airplanes in numbers approximately as follows:

Great Britain.....	2,978
Russia.....	2,700
Italy.....	3,018
Germany.....	1,450
Japan.....	1,980
France.....	3,067
United States.....	1,420

Mr. Speaker, furthermore, in the next span of years the United States will build three or four 40- to 60-foot highways across the Nation, from east to west, and some six or eight from north to south, and we will have big air-line service companies operating along or over the same routes, and at the cross roads of these lines running north and south and east and west we will have large airports. In peacetime these lanes and roads and fields will be used for commercial purposes, and in case of an emergency they could and would be used for our national defense. This will be economy as well as efficiency.

#### WHAT REAL AMERICANISM MEANS TO ME

Mr. MAAS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by having printed in the RECORD a radio speech delivered by myself.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. MAAS. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following radio address, delivered over N. B. C. on February 12, 1936, at Washington, D. C., and sponsored by the United States Junior Chamber of Commerce:

The United States Junior Chamber of Commerce, to open their first national Americanism week, have invited me to speak on What Real Americanism Means to Me.

I know of no subject which is so timely nor upon which I would rather speak.

It is well that all Americans hold an inventory at least once a year and check up on just what America does mean to them individually.

The Junior Chamber of Commerce is to be congratulated upon its initiative and energy in undertaking this most worthy project. It is bound to become a great national annual institution. The happy selection of the week from Lincoln's birthday to Washington's birthday is most appropriate. These two great outstanding Americans typify the best that there is in America, and the two taken together are America.

The fine democratic combination, on the one hand, of a man reared in luxury, with an excellent education, an aristocrat, who nevertheless loved his fellow men, high and low, and who became their hero, and, on the other hand, a man of humble origin, desperately poor, with practically no schooling, who yet rose to leadership to champion the cause of freedom, liberty, and real justice, is certainly an inspiration to every American. Their lives and works continue to live as a symbol of America and an inspiration to every one of us. Even with such opposite backgrounds, they both became Presidents of the United States.

There is no snobbery here, no class discrimination, no mob ruthlessness. Just the simple principle that all, high and low, rich and poor alike are worthy of fair treatment and equal opportunity for service to the Republic. The young business and professional men who make up the 300 local junior chambers of commerce throughout the United States are conscious of both the great privileges and the solemn obligations of American citizenship.

I know the splendid attitude of these younger Americans. I have the privilege of being an honorary life member of this association at St. Paul, where as an active member I helped organize the local chamber several years ago.

The members, numbering over 75,000 throughout the country, appreciate what Americanism means, and they are devoted enough to its ideals to wish to preserve our American institutions. Since communism and fascism are equally repugnant to Americans, these young men are determined to preserve America and American ideals by American methods. There is none of the blatant supernationalism of the European variety in the patriotism of this campaign. Here we have no movements to force by violence and intimidation an allegiance to the flag. Their plan is not to compel lip service by the use of organized fear or inordinate display of the power of the state. No, we are to be treated to no European brand of youth movement by these American young men. They plan in a strictly American manner to teach reverence of America and things American by a huge educational campaign.

They have enlisted the aid of the newspapers and news-gathering associations throughout the country; the motion-picture industry; the radio; the clergy; fraternal organizations, such as the Elks; patriotic and veterans groups; the schools; service clubs; and pub-



lie officials. Their method is to mobilize prominent citizens in a speaking campaign and to sponsor essay contests on the benefits of Americanism. This shows the wisdom of the younger generation, as well as its unquestioned patriotism.

All we Americans need do is to pause and review our benefits and then compare our lot to that of those throughout the rest of the world. The attitude of the young business and professional men in initiating this campaign, which is strictly nonpolitical and nonsectarian, is expressed in the Junior Chamber's call for national observance of Americanism week. A paragraph from this call is noteworthy. I quote it:

"Our program is not partisan and not negative. It will be a positive, educational exposition of the merits of Americanism.

"It will express the profound conviction throughout that America and our American institutions have proven down through the years that, while not perfect, they represent the best system of government which has yet been conceived by the mind of man, and, as such, are entitled to the loyal support of our citizens to the end that they may be maintained in principle forever."

Here is the voice of young America speaking. It seeks to express in a positive manner its gratitude for the opportunities and benefits America has made possible for the youth of this country. These young people conceive truly that no better way of demonstrating their appreciation can be shown than by fostering a love of America and perpetuating American institutions for those countless generations yet to come. This is the spirit of America—a loyalty bred of appreciation and genuine love of America. There is no idle loyalty founded on meaningless platitudes.

I think I can express the general views of these young Americans who are sponsoring this practical patriotism by expressing what real Americanism means to me.

When I say I love the United States, it is not an empty, banal phrase. Let me explain why I love the United States. It is because its ideals and objectives and the character of American people are an inspiration to everyone.

I love America because its people are peace loving, willing to go to almost any length to maintain peace. We are not a militaristic, warlike nation.

Every war we have fought has been for the benefit of oppressed peoples, either our own or others. We may have been duped at times, but the motive behind the American people themselves each time was a genuine, sincere desire to help the helpless. Crafty leaders may have taken advantage of our generous, sympathetic, even though credulous, natures to effect their own benefit, but the heart of America beat soundly each time for humanitarian causes. The best proof of this is the fact that we have refused to profit by our part in foreign wars.

Were we avaricious and imperial, we could now control over half the world. I love America because we as a nation have adhered, often with great sacrifice, to our ideals.

One of the greatest evidences of our sincerity and generosity is the fact that there are so many free and independent republics to the south of us, and a self-governing dominion to the north of us. Neither Canada nor Mexico has a single fort on their United States boundaries to protect them from us. Is not this the best proof that we are good neighbors and a peaceful people?

The United States captured Mexico City, but not for conquest, or we should today be ruling Mexico. We freed the Philippines, but not so that we could extend our dominion. We generously spent millions of dollars, without profit to ourselves, to educate the Filipinos for self-government and then gave them their sovereignty. No other people on the face of the earth have ever done such a thing. The ideals of 1776 have not been forgotten by the American people. I love America because this is so.

We intend to maintain American neutrality, not so that we may profit by wars of others, for we are sacrificing our chance for war profits, but because we sincerely desire peace.

To me real American neutrality will be such as will not entangle us in foreign wars. If we remain independent, we can exert far greater influence for the general welfare throughout the world than as a partisan.

To make our influence effective we must be prepared to maintain our independence. The United States must be realistic about this.

To insure our peace we must be strong enough to defend that peace. Real Americanism means a friendly attitude toward the rest of the world, aloofness from their quarrels, minding our own business through a genuine neutrality, and a sufficient national defense on land and sea to enforce that neutrality. I love America because we maintain only such Military and Naval Establishments as are designed to defend us and which are not even capable of wars of conquest. America wants to be let alone, and intends to see that its right to be let alone shall be respected.

I love America because of the equality of all of its citizens in the eyes of the law. In addition every citizen has the right and the opportunity to both make and administer the laws of the country. The courts that protect our rights are presided over by men and women who have been selected from among the rank and file of the people.

I love America because it is founded upon the fundamental principles that recognize the rights of the people to do their own governing. Our public officials in the United States are not rulers but public servants, and responsible to the people for their conduct in office.

I love America because it has a government of law and not individuals. As an illustration, our Army and Navy take oaths of allegiance not to individual commanders, not even to the President but only to the Constitution of the United States. These

are not armies belonging to rulers but are armies of and for the Republic itself.

I love America because we have a Constitution born of great men in a trying time of external stress, a Constitution that has stood the test of time, the strain of adversity, the pressure of conflict. The American Constitution, while rock-bound in its protection of the people's rights, is nevertheless a living, breathing charter of human liberty. Such protection as is given to property is only for the safeguarding of the individual's right to use his property in order to insure his happiness and his very right to live. Human rights and consideration are supreme in our Constitution. The weak are protected against the strong, the minorities against ruthless majorities. I am grateful that our Constitution can be changed to meet any fundamental or permanent changes in our social or economic life, but that it cannot be nullified by temporary majorities to defeat the purposes of our founders nor to aid the politics nor whims of the passing domination of any individual or group. The Constitution of the United States is for all the people all of the time. It is the one safeguard against the gaining control of our country by groups imbued with European philosophies. It is insurance against anarchy, communism, or dictatorship.

It will be, as it has been in the past, assailed from time to time by those who find it stands in the way of their personal or political ambitions, but each tide will subside and find the Constitution even more firmly imbedded in the hearts of Americans.

I love the American Constitution because it is not a set of rules, but is a code of basic principles of human relationship. If these principles were correct once they are now and always will be. There is no element of time involved in real principles. They either are, always have been, and always will be correct, or they are and always have been false principles. Time and history have demonstrated the correctness of the foundation principles that make up our Constitution. Their essence is a constant effort to provide a better place for people to live and a better relationship for those people.

I love America because of the opportunity it affords for popular education. It equips its citizens to more fully enjoy a better living now and to plan for an even happier one for each succeeding generation.

We enjoy the fullest measure of individual freedom from State restraint. We may freely choose our schools, our church, our vocation in life, our place to live. We have no universal, compulsory military service in time of peace. There are enough patriotic citizens to voluntarily fill the ranks of our uniformed defense forces.

I love America because we are a people of homes. Americans are the greatest home-owning people on earth.

I love America because Americans are a generous, tolerant, good-natured, and kindly people. Their charity is unequalled; their sense of fair play is of world renown.

I love America because, while we love peace and are determined to avoid wars, we can and will defend ourselves against invaders.

I love America because, regardless of conditions, none go hungry, none go cold. In spite of black depressions, in spite of temporary maladjustments, we do not, as a people, become discouraged.

I love America, last but not least, because we have pioneer blood in our veins, because we inherit a tradition of courage, determination, and self-reliance. The American ideal is satisfaction in life through service to others, and the American objective is to make a better place in which to live and to leave a heritage of a larger and fuller opportunity for those who are to follow. That is what real Americanism means to me.

#### JUDICIAL REVIEW OF ACTS OF CONGRESS

Mr. EICHER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a two-page letter from a leading lawyer of my district on judicial review of acts of Congress.

Mr. RICH. Mr. Speaker, reserving the right to object, it has been customary to confine such extensions in the RECORD to the doings of Congress and matters coming from ex-Members or from certain State or Government officials, and I question whether we ought to permit all letters to go into the RECORD that are requested. I do not want to object, but I think it is a wrong practice and I do not believe the Members of the House should make such requests unless they are absolutely necessary.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. EICHER. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following letter from a leading lawyer of my district:

MORRISON & MORRISON,  
Washington, Iowa, February 5, 1936.

HON. E. C. EICHER, M. C.,

Washington, D. C.

DEAR MR. EICHER: I am again, through your kindness, receiving the CONGRESSIONAL RECORD. That I appreciate it and find in it food for reflection, this letter will disclose.

I was quite interested in the President's message to Congress and particularly in his suggestion that Congress has within its



own hands the power to see to it the acts which it passes are not nullified.

I dug back into the RECORD of August 20, 1935, and the speech of Representative LEWIS of Maryland, beginning on page 13908, which is the best discussion of the history of and brief of cases where Supreme Court has held acts of Congress unconstitutional that I have seen, and also suggests a method of control of this Congress itself. I also note speeches<sup>1</sup> by Senator BANKHEAD and the remarks of Senator FLETCHER at page 205. I have also noted Representative RAMSAY's speech at page 850, CROSS' speech, 1095, and HILL's speech, page 1171. Also RAMSAY's bill H. R. 8054, described at 854.

It has occurred to me that his bill could be profitably amended in two particulars:

1. By provision for a statute of limitations for attack on constitutionality of an act by very sharply limiting time for such attacks.

2. By provision requiring the Supreme Court to give attacks on the constitutionality of a statute certified to it priority in hearing over all other litigation.

Such amendments would head off the present intolerable condition regarding processing taxes.

You have both heard and read, no doubt with some irritation, the often repeated charge that the Seventy-third and Seventy-fourth Congresses were mere "rubber stamps."

It has occurred to me every time I heard or read this jeer that there is much less justification for it on the grounds claimed than there is for jeering every Congress since the day of *Marbury v. Madison*. That Congress, vested (by a Constitution which stated as one of its six grounds to "promote the general welfare"), by article I and section 1, with "all legislative powers", and later by article III, section 1, with power to "ordain and establish inferior courts", should permit a judge of a district court or two of three judges of a circuit court of appeals, both of which courts the Congress had created, blandly to decide a legislative act of that Congress to be unconstitutional, is about the finest example imaginable of not only being a "rubber stamp" but furnishing the stamp itself. That the members of the Constitutional Convention ever dreamed that the Congress it created would have such conception of its own dignity as to permit such a practice from time to time through more than a century is absolutely unthinkable. That Congress, after Congress has done so, has, in my opinion, done more to weaken the respect of the people for Congress than any other one thing of which I have any knowledge.

One is respected by others very much as he respects himself. You have many times observed how little respect his neighbors and acquaintances have for the man who does not require respect from his wife, his children, or his servants.

I for one would be glad to see the Congress assume a dignity compatible with that clearly intended by the framers of the Constitution from the very nature of the powers granted.

Another slant on the view of the makers of the Constitution with reference to the powers of the courts: Is it reasonable to think that the practical men who made the Constitution and who so carefully provided that neither Congress nor a court could take from a citizen the right to be tried by a jury, whose verdict must be unanimous, on the veriest misdemeanor, merely mal prohibitum without taint of moral turpitude, and punishable at most by a small fine, intended to grant by the same instrument power to any court either directly or indirectly to nullify an act of the Congress in which it had vested "all legislative powers", by a mere preponderance in votes of the judges of that court, in the decision of a suit between two private litigants and regardless of the number of citizens or the value of their property affected by the nullification?

Such conception of the sound, practical, common sense of the framers of the Constitution as an aggregation of mere "gnat strainers" and "camel swallows" is not justified by any side lights on their lives or any of their writings handed down to us by history.

You had some stormy weather driving East but I hope you did not suffer any ill consequences from exposure. We have had the coldest winter in years and more in prospect.

With best wishes, I beg to remain

Sincerely yours,

EDMUND D. MORRISON.

#### EXTENSION OF REMARKS

Mr. MAVERICK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a speech made by the president of the Press Club at the inauguration of officers last week, and also certain headlines and short stories which were gotten out at the Press Club at that time.

Mr. RICH. Mr. Speaker, we are going from bad to worse. [Laughter.] I do not think we should grant all these requests for everything to go into the RECORD. I do not believe it is right and I do not think the Members ought to ask it. I do not think the Members should make such requests for the Press Club or any other club.

Mr. MAVERICK. Mr. Speaker, I would like to explain that this man is from Texas. He is the president of the Press

Club and a distinguished citizen. We ought to let the newspapermen get something in the RECORD once in a while. They hardly ever get anything on us—it is always from us.

Mr. RICH. Will the gentleman tell us where Texas is?

Mr. MAVERICK. I will withdraw the request if the gentleman wants me to.

Mr. RICH. I do not think the gentleman ought to make the request.

Mr. CARTER. Reserving the right to object, Mr. Speaker, would the gentleman mind again stating what it is he desires to put in the RECORD?

Mr. MAVERICK. It is a speech by Mr. Stimpson. They also got out a special edition of the Washington Post. It looks like the Washington Post. There are some interesting headlines in it and I do not think it would burden the RECORD.

Mr. RICH. Is it a newspaper?

Mr. MAVERICK. Yes.

Mr. RICH. Then I object, Mr. Speaker.

#### WAR DEPARTMENT APPROPRIATION BILL, 1937

Mr. PARKS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 11035) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1937, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11035, with Mr. PARSONS in the chair.

The Clerk read the title of the bill.

Continuing the reading of the bill, the Clerk read as follows:

For contingent expenses of the Military Intelligence Division, General Staff Corps, and of the military attachés at the United States embassies and legations abroad, including the purchase of law books, professional books of reference, and subscriptions to newspapers and periodicals; for the hire of interpreters, special agents, and guides, and for such other purposes as the Secretary of War may deem proper, including \$5,000 for the actual and necessary expenses of officers of the Army on duty abroad for the purpose of observing operations of armies of foreign states at war, to be paid upon certificates of the Secretary of War that the expenditures were necessary for obtaining military information, \$87,000, to be expended under the direction of the Secretary of War: *Provided*, That section 3648, Revised Statutes (U. S. C., title 31, sec. 529), shall not apply to payments made from appropriations contained in this act in compliance with the laws of foreign countries or their ministerial regulations under which the military attachés are required to operate.

Mr. BLANTON. Mr. Chairman, I offer the following amendment. On page 7, line 11, I move to strike out the words "General Staff Corps." This is pro forma to give me the floor to discuss a matter of importance.

Mr. Chairman, before our committee that framed this bill met I wrote a letter to the Secretary of War and called attention to the usual restrictions of the General Staff, which are generally placed around the Army officers appearing before hearings, which prevents them from giving their real judgment to Members of Congress in the hearings.

I called attention to the fact that our committee had asked some high-ranking major generals of the United States Army to appear before us so that the committee and Congress could have the benefit of their own personal views on matters of national defense.

I mentioned to the Secretary of War that Gen. Hugh A. Drum, in charge of Hawaii, would be here under the direction of the War Department; that Gen. Paul B. Malone, of the Presidio, Calif., commanding the Ninth Corps Area, would be here under the direction of the War Department; that Gen. Lytle Brown, in command at Panama, and that Gen. Johnson Hagood, commander of the Eighth Corps Area, would also be here under the direction of the War Department; also other prominent officers—some of the greatest major generals in the United States, senior officers, who ought to be allowed to state what they really think about matters, and I asked him whether they would be under the usual restrictions or whether they would be allowed to

<sup>1</sup> 74th Cong., 2d sess.



frankly answer questions propounded by members of the committee and give their own honest convictions.

The Secretary of War referred my letter to the Chief of Staff, Gen. Malin Craig, who wrote the reply, stating to me that he was instructing all of these high-ranking major generals appearing before our committee to frankly and freely give their own personal opinions and convictions in answering all questions propounded to them by members of the committee about all Army and other matters in their corps areas and national defense, and that they would be relieved from any restrictions and be allowed to give their own personal opinions.

When these great major generals appeared before our committee and were questioned by us they gave their honest views.

Now, there is some criticism appearing in the newspapers concerning opinions expressed by General Hagood, who gave the committee his honest views in answer to our questions. I want to say that there is no one in Congress or in the War Department or anywhere else who can reflect on the standing and integrity of Johnson Hagood. He is my personal friend, and I will defend him against any and all assaults. There is no finer character in the United States.

The time has come when Democrats should present in a constructive way to our President and his administration their views about the inexcusable waste and extravagance of certain officials, and I want to say that General Hagood did not express a single view that is not my own view as a representative of the people of this country in this Congress. [Applause.] I want to say that I entertain 100 percent the same views that Gen. Johnson Hagood expressed before our committee. And I happen to know that Gen. Johnson Hagood entertains for our great President the highest regard and respect and is an enthusiastic advocate of his administration.

There is a whole lot going on for which our great President is being held responsible that is caused by officials who are not loyal to him that the President should know about.

To run this big Government, the President has to depend upon a large number of administrative officials, most of whom are honest, efficient, worthy, and deserving, and are above criticism; but as you will find in every large class, there are some who are black sheep and have been guilty of waste and extravagance and bad judgment and disloyalty, and it is the duty of us Democrats to tell the President about it and bring these matters to his attention so that he may correct same.

Mr. FADDIS. Mr. Chairman, will the gentleman yield? He has been told many times by Members of Congress who know these conditions as well as General Hagood.

Mr. BLANTON. Oh, our great President has many burdens upon his shoulders that the ordinary citizen never thinks about. He is weighted down with them. He deserves our sympathetic help and cooperation. How he accomplishes as much as he does is a wonder to me. I am backing him with all there is in me, and I know that he wants me to criticize anything that is going on wrong. I invite honest criticisms of any act that I do, and as a Democrat I invite honest criticism from Democrats of acts of our Democratic administration, to which I belong. It behooves us Democrats to clean our own house. An administration that does not appreciate honest criticism is not going to do its very best or last long. While I will not allow you Republicans to criticize our Democratic administration, I have the right to do it.

Here is a letter that I received from one of the big businessmen of my State, a man whom I know well, who once lived in my home town, now in charge of a big office at Dallas, Tex., dated February 5, 1936, which mentions a loan of \$400,000 he made to a cattleman in my district, and he details specific instances of foolish waste and extravagance that has been carried on by certain Federal officials in Texas, who would not have been guilty of it if they had been faithful to their President and his administration.

I am bringing it to the attention of the President, for he should know about it. And in every case where it has been brought to my attention that Federal officials have been

guilty of wastefully and extravagantly spending public money out of our Treasury I have promptly brought same to the attention of the President, for I know that he will always take prompt steps to stop it.

When I learned that much money was being spent in Washington, employing men to go around Washington and shake rocks in tin cans to scare starlings out of one tree into another, and to let up balloons to scare starlings from the eaves of one building to the eaves of another, I promptly denounced it to the President, and I was gratified to know that he stopped it.

It is the duty of every loyal Democrat to promptly bring to the attention of the President every instance of foolish waste and extravagance. If we do not do it, we Democrats will not deserve to be retained in office.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent for 5 minutes more, and that is all I want.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BLANTON. Mr. Chairman, I am with my President in all of his proper plans and policies to bring about better conditions in this country. I am with him in every proper undertaking that he makes for the people. He is not responsible for this waste of money by these hirelings. We have too many of them scattered over the country. Many are wasting the people's money. I feel it is my duty to bring it to the attention of the President. It must be stopped. We Democrats do not want this money wasted.

It is somebody taking advantage of the Government and of the administration who is wasting this money, for which waste every one of us is held responsible, and for which we are all criticized, and I am getting tired of it. I am going to do my duty to stop it.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. McSWAIN. Mr. Chairman, I move to strike out the last three words, or at least one word more than the gentleman from Texas struck out.

The CHAIRMAN. The gentleman from South Carolina is recognized.

Mr. McSWAIN. Mr. Chairman, I merely want to state that General Hagood comes from South Carolina, from a most distinguished family.

His father was a distinguished Confederate soldier. His father's brother was a brigadier general in the Confederate Army. His uncle was later Governor, a distinguished and able Governor, of the State of South Carolina. A brother of General Hagood was for a part of my college course my classmate in college. I have an ardent personal affection for him, as for the entire family. I have complete confidence in him as a patriotic American.

He is a distinguished soldier and officer. He has constructive, original ideas. He appeared before our committee 3 or 4 years ago and contributed a most valuable statement and some most magnificent arguments in favor of certain changes and reforms in the Military Establishment, especially with reference to the training of raw recruits. He is a man of progressive ideas, a man of originality, a man of honesty and courage. He was chief of staff of the Service of Supplies in France under General Harbord. [Applause.]

Mr. Chairman, I ask unanimous consent that a telegram I have just received from General Hagood be printed in the RECORD with my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The telegram referred to is as follows:

PORT SAM HOUSTON, TEX.,  
February 13, 1936.

HON. JOHN J. McSWAIN,

House of Representatives, Washington, D. C.:

Returned to San Antonio tonight, and have just seen newspaper accounts of my hearing before House Appropriations Committee. I am deeply shocked at being accused of criticizing the President. No criticism could have been intended, as I am personally a staunch advocate of the administration and know full well that the Presi-



dent has done more toward proper housing of the Army than has ever been done before. My testimony was taken in executive session, and all of it was not printed. The whole thing taken together was very plainly a discussion of my own estimates submitted by the War Department to the Works Progress Administration itself. I greatly appreciate your action in standing up for me and request that you talk to Congressman BLANTON, at whose suggestion I was called.

JOHNSON HAGOOD.

Mr. MARCANTONIO. Mr. Chairman, I move to strike out the words "purchase of law books, books of reference, and so forth."

Mr. Chairman, it is my purpose at this time to point out to the membership some of the statements contained in some of the military manuals issued by the War Department.

From 1928 to 1932 in Army Training Manual No. 2000-25 there appears the following official War Department definition of democracy:

Democracy: A government of the masses. Authority derived through mass meeting or any other form of direct expression. Results in mobocracy. Attitude toward property is communistic—negating property rights. Attitude toward law is that the will of the majority shall regulate, whether it be based upon deliberation or governed by passion, prejudice, and impulse, without restraint or regard for consequences. Results in demagogism, license, agitation, discontent, anarchy.

This is the definition of democracy which the War Department taught to thousands of American soldiers. If there was ever anything more subversive than this definition of democracy ever issued in any publication, I would like to know it. There is very little difference between this definition and that given to democracy by the Nazis. However, I want to state, in all fairness, that this publication was withdrawn after it had been used for 4 years, 1928-32.

I now come to a contemporary manual, and it deals with domestic disturbances. It is entitled "Basic Field Manual, Volume VII; Military Law, Part Three; Domestic Disturbances." This is what it advocates—

Mr. PARKS. Is that a War Department document?

Mr. MARCANTONIO. It is; yes, sir. It is printed by the United States Government Printing Office; and on the second page it says:

War Department, Washington, August 1, 1935. Part 3, Domestic Disturbances, Basic Field Manual, Volume VII, Military Law, is published for the information and guidance of all concerned [A. G. 062-11 (1-29-35)]. By order of the Secretary of War. Douglas MacArthur, General, Chief of Staff. Official. E. T. Conley, Brigadier General, Acting The Adjutant General.

Mr. PARKS. It is not a document for public distribution, is it? It is a secret document that deals with the secrets of the United States.

Mr. MARCANTONIO. It is not secret. It is the Basic Field Manual. I do not consider that a secret. It is distributed among officers and soldiers for their guidance. Let me say right here that United States Army manuals are used by the National Guard, so that while the United States Army is infrequently used in strikes the National Guard is too frequently used; and this manual, like all other United States military manuals being used by the National Guard, acts as "information and guidance of all concerned" meaning the National Guard. Let us also bear in mind that the National Guard has been Federalized by payment for drills attended and other huge national appropriations from the United States Treasury.

Let us see what this manual teaches as to tactics; on page 18 of this manual I read:

When rifle fire is resorted to the aim should be low so as to prevent shots going over the heads of the mob and injuring innocent persons that could not get away.

Then paragraph (e), on the same page, says:

Blank cartridges should never be used against a mob, nor should a volley be fired over the heads of the mob even if there is little danger of hurting persons in rear.

On the same page I read from paragraph f:

Bayonets are effective when used against rioters who are able to retreat, but they should not be used against men who are prevented by those behind from retreating even if they wished to do so.

On page 26 I read from paragraph (6):

The attitude of the public press must be learned and conferences arranged with newspapermen. They will be a source of much information.

On page 28 I read from paragraph 65:

Airplanes: Airplanes flying low may be of value in discovering fires and in watching for assemblages of rioters. The moral effect of the airplane will be very valuable. Airplanes equipped with machine guns may be used against rioters on roofs of buildings or in large open spaces. They may be used for bombing in certain cases. Airplanes will be especially valuable to the commander who must enter a city against opposition.

Chapter 3 gives lessons in the use of chemical warfare against civilians, and then in this chapter we find diagrams and pictures of chemical hand grenades, rifle grenades, of the irritant candle, and information as to the use of these objects against civilians.

On pages 13 and 14 I read the following:

#### EQUIPMENT FOR DUTY IN DOMESTIC DISTURBANCES

24. Equipment in general: The equipment required by Federal troops for duty in connection with the suppression of domestic disturbances will not differ materially from that required for ordinary occasions of field service. The character of the service expected, the season of the year, and other conditions will indicate the modifications that should be made.

25. Aviation: Airplanes may be used for the purposes of reconnaissance, dropping proclamations, orders, or messages over positions or portions of a city occupied by rioters, and for photographing the area to be operated over in order to enable the troops to familiarize themselves with the principal landmarks and barricades of the route to be passed over. During the attack airplanes may be used for the purpose of keeping rioters off roofs by means of machine-gun fire and, in conjunction with other arms, by dropping tear-gas and high-explosive bombs.

26. Ammunition: A part of the small-arms ammunition taken along should be of the reduced-charge or reduced-range variety, such as riot cartridges. The kind of service expected will dictate the quantity and character of ammunition that will be required.

27. Armored cars: Armored motor cars will be especially valuable in riot duty.

28. Artillery: The manner of using coast artillery in riot duty would depend upon the equipment, any special training, and availability of a particular organization. Light artillery might advantageously form a part of any command employed in the suppression of a riot.

29. Cavalry: Because of its mobility and the undoubted moral effect of an armed man on horseback, cavalry will always be a valuable and effective adjunct to any command employed in riot duty.

30. Hand grenades: Hand grenades, especially those filled with chemicals, will be quite an essential part of the equipment. Experience in the use of tear gas in hand grenades by the National Guard and civil police has demonstrated its practicability and efficacy in handling mobs without loss of life (see ch. 3).

31. Infantry: Infantry should and will invariably constitute the major part of any command employed in suppressing a domestic disturbance.

32. Machine guns: Machine guns will be required in about the proportion now issued to an infantry regiment.

33. Tanks: There will be many cases where tanks can be used to good advantage. Certainly the moral as well as the physical effect of a tank bearing down upon a mob will do much toward breaking up the mob. Tanks have been used effectively in street fighting. A pole or spar has been lashed to the tank and this used as a battering ram to break in doors or make breaches in barricades.

34. Thirty-seven-millimeter guns: Occasions may arise when the 37-mm gun will be of value, but ordinarily it will be found that the 3-inch mortars will answer the purpose.

35. Three-inch mortars: Trench mortars are especially adapted for use in city fighting where high-angle fire is necessary to reach targets in areas but slightly in advance of the troops but separated therefrom by rows of buildings of varying heights.

36. Transportation: Motor trucks, passenger cars, motorcycles, motorcycles with side cars, and horses, depending on the situation, will be required for the transportation of patrols and messengers, and for the hasty transportation of troops. If the organization does not normally have motor transports as a part of its normal equipment, the necessary motor transport should be provided, civil or military.

37. Miscellaneous supplies and equipment: Shotguns, using charges of buckshot, should be issued to a section of the command. For operations in a city an extra supply of axes, picks, sledge hammers, crowbars, and rope will be of value.

On page 12 of the manual we find that—

Federal troops have been used in the suppression of domestic disturbances on more than a hundred occasions.

It will be stated, of course, that the information in this manual is issued solely for the purpose of dealing with those who seek to overthrow the Government by violence, or only



against Communists. Let us analyze this defense. No one will contend that there is a considerable number who advocate the overthrow of Government by violence. As for the Communists, there were only 125,000 votes cast for their ticket in 1932.

Therefore, it is apparent that this manual was not issued to deal with revolutionists. There certainly is a more subtle purpose for this manual.

[Here the gavel fell.]

Mr. MARCANTONIO. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MARCANTONIO. That purpose and what the author has in mind in using the word "mob" becomes very clear when I read the following statement on page 25. I read the sentence:

Information relative to the lawless elements may be secured from the police department—

This is all right; but listen to this—

supplemented by private detective agencies, railroad detectives.

The infamous antilabor history of these agencies is well known. They have no interest in preserving the Government. There is no money in that business. They are hired to fight organized labor, to furnish and protect "scabs" and to injure labor pickets. I recommend to the Members the reading of *I Break Strikes*, by Bergdorf. This business is lucrative. This manual sends officers to these agencies for information, agencies whose business it is to smash labor. These words give the whole story away. This manual, Mr. Chairman, is a manual which instructs officers and soldiers, National Guard and all concerned, how to break strikes. This manual is directed against labor, against labor strikes, against mass picketing, and against the right of striking workers to assemble. By "mob" and "lawless elements" the author means American workers assembled on the economic battle front. Strike-breaking agencies are to furnish the information to officers and troops for the purpose of using tanks, for the purpose of shooting low, and for the purpose of using bayonets against whom? No; not against revolutionists, my colleagues, but against organized labor exercising its God-given right to assemble, organize, and picket.

I submit that it is high time the Congress took action to prevent the use of troops in industrial disturbances for the purpose of breaking up strikes. Labor has the right to organize; labor has the right to strike; and, above all, labor has the right to take the picket line. It is high time that we see to it that when American workers who are forced to go on the picket line should not be shot down by officers and soldiers who are paid with money which comes by the sweat of the brow of the American workers.

[Here the gavel fell.]

Mr. McCORMACK. Mr. Chairman, I rise in opposition to the pro-forma amendment.

Mr. Chairman, the gentleman from New York [Mr. MARCANTONIO] is a very able Member of the House and is very ingenious in argument. I know the purpose of his argument. The gentleman has the right to entertain his views; anyone has a right to entertain and express his views within the law. Anyone has a right to advocate a dictatorship of the proletariat in the United States, if he does it within the law; but such people have no right to advocate it by force and violence. That is not freedom of speech; that is license. Anyone who undertakes to say that to advocate the overthrow of government by violence and force is freedom of speech makes a statement which is inconsistent with history, inconsistent with the truth, and inconsistent with the proper interpretation of the freedom-of-speech clause of the Constitution of the United States.

Mr. ZIONCHECK. Mr. Chairman, will the gentleman yield right there?

Mr. McCORMACK. No; I will not yield to the gentleman.

Mr. ZIONCHECK. The gentleman knows—

Mr. McCORMACK. I can handle myself without the assistance of the gentleman from Washington.

The gentleman from New York talks about strikes; he talks about the Army manual. The gentleman knows that the Regular Army and Navy are never used in strikes.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. The honorable gentleman knows that the Army and the Navy have been used only on two occasions in the past number of years—I know it is very rare—and then only to assure transportation of the mail. The Army and Navy are not used in strikes. The National Guard is used where riotous conditions exist; the National Guard, where the welfare of the people of the community is involved, under conditions when the Government is justified in using reasonable force to insure internal peace and order.

Nobody respects the right to strike more than I, nobody would fight more for the right to strike than I, and nobody has done more to advance this principle in an orderly way than I; but the gentleman makes a forced interpretation. The gentleman in all sincerity—he is honest on these questions; I have talked with him, and I know the gentleman is honest; I know he honestly entertains certain opinions—but he knows the proper interpretation of those orders is not as he intimated in his speech.

Mr. Chairman, I yield to the gentleman from New York [Mr. MARCANTONIO].

Mr. MARCANTONIO. Does the gentleman think it proper that in Army Manual 2000-25 there should be given the definition of democracy which is contained therein and that definition spread among American soldiers?

Mr. McCORMACK. I did not hear the gentleman read it.

Mr. MARCANTONIO. I will read it:

Democracy: A government of the masses. Authority derived through mass meeting or any other form of direct expression. Results in mobocracy. Attitude toward property is communistic—negating property rights. Attitude toward law is that the will of the majority shall regulate, whether it be based upon deliberation or governed by passion, prejudice, and impulse, without restraint or regard for consequences. Results in demagogism, license, agitation, discontent, anarchy.

Does the gentleman concur in that definition of democracy?

Mr. McCORMACK. That has not been given as a definition of democracy. That is a statement of the methods by and through which the communists are undertaking to bring about their objective; that is, through agitation, through exploitation, through any means, whether legal or illegal; through an effort to bring about a general strike to ultimately obtain the desired and avowed objective. Everyone knows that a general strike is revolution. It is more than a disagreement between employer and employee. A general strike is a challenge to the sovereignty of the country; a general strike is a challenge to the sovereignty of the United States and the sovereign power of our country. [Applause.]

[Here the gavel fell.]

Mr. McCORMACK. I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MARCANTONIO. Will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from New York.

Mr. MARCANTONIO. The proof of the pudding that the definition of democracy was official lies in the fact that Secretary Dern withdrew this definition and in withdrawing it stated as follows in a letter to Mr. Oswald Garrison Villard: "Why pick on a sinner after he has reformed?" Is the gentleman from Massachusetts now defending the definition?

Mr. McCORMACK. Mr. Chairman, it does not concern me what Secretary Dern does. If Secretary Dern made a recommendation, as he did, in support of such legislation and withdraws it, he is the one who has to answer to the



American people. Secretary Dern has a responsibility of his own; but because Secretary Dern changes his position is no reason why I should change my position, and, so far as I am concerned, I do not change my position one iota.

Mr. Chairman, in this country we have the constitutional power to bring about changes. A Socialist, operating within the law, may advocate changes through the ballot box. I will oppose them in their efforts, as I have a right to oppose them, but I will defend and protect their constitutional rights. A man has a right to agitate the establishment of a kingdom, absolute or limited, in this country, if he does so through the ballot box. Our means of change is not bullets but ballots. [Applause.] Men have the right to advocate anything they want to within the law, employ orderly means, present candidates pledged to certain changes, and then try to have the people vote for those candidates. They may, in a constitutional way, bring about an amendment to our Constitution in this body and then have it ratified by the legislative bodies of the several States of the Union, as provided by the Constitution. This is in accordance with the Constitution. But, Mr. Chairman, I recognize the right of nobody to advocate the overthrow of this Government by violence and force. There is no necessity for this. There are legal means in this country available to those who advocate changes. They are not suppressed. They have the right of expression and the right of action. However, they do not want to do that. They advocate force and violence. The argument of the gentleman from New York [Mr. MARCANTONIO] is ingenious. He is trying to create fear in the minds of the people with the message that there is something to what he read from that manual which is destructive of our country. Our Army is small and it is subject to civil jurisdiction. The civil part of our Government dominates in our country. We are not under a dictatorship. We may hear that cry for political reasons, but that is all in the game. We know our country is not a dictatorship. It is a constitutional Government. The gentleman's argument is ingenious and is made for the purpose of conveying a thought to certain groups. It is not the correct interpretation, and he is too honest with himself to know otherwise. However, he tried to subtly convey a different thought.

Mr. Chairman, we in this country recognize the right of all groups to advocate changes within the law and not outside of the law. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The question is on the motion of the gentleman from New York.

The motion was rejected.

The pro-forma amendments were withdrawn.

Mr. PARKS. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 2 minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. ZIONCHECK. Mr. Chairman, I move to strike out the last five words.

Mr. Chairman, I want to make an observation with reference to the speech of the gentleman from Massachusetts. The gentleman spoke of free speech and an orderly way of changing things under our democratic form of government. In the gentleman's own State, however, in order to peacefully assemble—speaking about unorthodox things, if you please—the people were and are forced to wear what are known as "free speech helmets"; that is, a hat stuffed with paper. They had, and have, to do this in order to keep their skulls from being split open by the officers of law and order, by the direction of those fine law-abiding citizens who clasp their hands and speak of law and order, against force and violence, and always for the Constitution, despite the fact that these are God-fearing, church-going people and have been taught—or, rather, exposed in their younger years—that the Bill of Rights is a part and parcel of our great Constitution.

Mr. MARCANTONIO. Will the gentleman yield?

Mr. ZIONCHECK. I yield to the gentleman from New York.

Mr. MARCANTONIO. I wonder if the gentleman, in his time, or the gentleman from Massachusetts, will explain what relevancy his discourse on his interpretation of the right of free speech has to a war manual teaching soldiers to shoot down strikers?

Mr. ZIONCHECK. It is like talking about humming birds and crab apples. When the gentleman from New York read a provision from the manual, he read a definition, and the gentleman from Massachusetts ignored it. He had to. He could not answer it. There was no answer.

Mr. McLEAN. Mr. Chairman, I make the point of order that the gentleman is not addressing himself to the pro-forma amendment.

[Here the gavel fell.]

The CHAIRMAN. The pro-forma amendment is withdrawn.

The Clerk read as follows:

#### WELFARE OF ENLISTED MEN

For the equipment and conduct of school, reading, lunch, and amusement rooms, service clubs, chapels, gymnasiums, and libraries, including periodicals and other publications and subscriptions for newspapers, salaries of civilians employed in the hostess and library services, transportation of books and equipment for these services, rental of films, purchase of slides for and making repairs to moving-picture outfits, and for similar and other recreational purposes at training and mobilization camps now established or which may be hereafter established, \$34,940.

Mr. CULKIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CULKIN: After the period in line 24, page 9, insert a new paragraph, as follows:

"For the construction or betterments of barracks for enlisted men and quarters for noncommissioned officers, staff or otherwise, the sum of \$50,000,000, to be allocated by the Quartermaster General in the manner heretofore authorized by Congress."

Mr. PARKS. Mr. Chairman, I make the point of order against the amendment that it is not authorized by law and therefore is not in order, and, in addition, it is legislation on an appropriation bill.

Mr. CULKIN. Mr. Chairman, I would like to be heard briefly on the point of order.

The CHAIRMAN. Will the gentleman from New York, in the course of his remarks on the point of order, show that authorization has been made for such an appropriation?

Mr. CULKIN. Yes; I can show that, Mr. Chairman.

This amendment, which follows the paragraph relating to welfare of enlisted men, provides \$50,000,000 for housing in accordance with authorization heretofore made by Congress. The books are full, I will say to the Chair, of such authorizations. I recall in a former session of the Congress an authorization which reached through some pages.

The CHAIRMAN. The Chair will ask the gentleman to cite specific instances, giving the page and number of the law, that provides authorization for this proposed appropriation.

Mr. CULKIN. I am unable to do that, Mr. Chairman; but, of course, it is a matter of common knowledge, and Congress, of course, will take cognizance of its own acts.

The CHAIRMAN. The gentleman is a very good lawyer, and the burden of proof is upon the gentleman to show that authorization has been made and is the law.

Mr. CULKIN. Do I understand the burden is on me of citing the specific page and chapter?

The CHAIRMAN. It certainly is, to justify the gentleman's amendment.

Mr. CULKIN. And Congress will not take cognizance of the acts of Congress. I respect the ruling of the Chair—

The CHAIRMAN. The gentleman is being heard on a point of order and is seeking to prove that his amendment is in order, and naturally the burden of proof is upon the gentleman to give the Chair and the Committee proof that such appropriation has been authorized.

Mr. CULKIN. Will the Chair take my recollection of it?

The CHAIRMAN. The gentleman's recollection might be very indefinite.

Mr. CULKIN. I shall be as specific as possible. In a former Congress an authorization was passed by the House and by the Senate—it might have been earlier than the last



session of Congress, and I do not wish to bind myself to that—authorizing housing running into many millions of dollars. I recall specifically Mitchel Field as one phase of the authorization, and there were many others.

Mr. WOODRUM. Mr. Chairman, will the gentleman yield?

Mr. CULKIN. Yes.

Mr. WOODRUM. I am sure the gentleman is conscientious, and I can say to the gentleman emphatically that there is no existing authorization for the appropriation provided in his amendment.

Mr. CULKIN. Providing barracks for enlisted men?

Mr. WOODRUM. For the building of additional barracks. There are no barracks authorized for which money is not carried in this bill.

Mr. CULKIN. I may say to the gentleman that I did not see the President sign this bill, but I know it passed the House and went to the Senate; and I know it passed the Senate.

Mr. WOODRUM. The gentleman is in error.

Mr. CULKIN. Is the gentleman sure about that?

Mr. WOODRUM. Yes; that is my recollection, and the very efficient clerk of our committee is positive about the matter.

Mr. CULKIN. May I query the gentleman in this way? Does the gentleman say there are no authorizations for housing heretofore passed by the Congress and approved by past Presidents?

Mr. WOODRUM. That is my understanding of it.

Mr. CULKIN. None whatever.

Mr. WOODRUM. That is my understanding.

Mr. CULKIN. The record is naked of any such authorization?

Mr. WOODRUM. Yes.

Mr. CULKIN. The gentleman has had more experience in connection with this matter than I have had, but my recollection differs from his.

Mr. WADSWORTH. Mr. Chairman, will the gentleman yield?

Mr. CULKIN. I yield.

Mr. WADSWORTH. Is it not a fact that the President, under authority of the Congress, has already allotted sums which have been spent in the building of barracks for the Army?

Mr. CULKIN. The gentleman's statement is correct.

Mr. WADSWORTH. Is not that an existing authorization?

Mr. WOODRUM. If the President has done that, the funds have never been passed by an appropriation bill. There have been allotments made from emergency funds for a great many things for which you could not pass an appropriation here without a specific authorization.

Mr. WADSWORTH. It is the opinion of the gentleman that that authorization would not include an appropriation of this character?

Mr. WOODRUM. Yes.

Mr. BOLTON. Mr. Chairman, will the gentleman yield?

Mr. CULKIN. I yield.

Mr. BOLTON. While I am in sympathy with the amendment of the gentleman from New York, I realize that funds are not available for this purpose. However, I desire to call the gentleman's attention to page 235 of the hearings, which recites the general Army housing program which was adopted by the Congress and on which the President has reported. So there is legislation for the Army housing program.

Mr. WOODRUM. But there has been no authorization for this appropriation.

Mr. BOLTON. Under this appropriation; no.

Mr. WOODRUM. I would like to say to the gentleman from New York [Mr. CULKIN], I understand there is much merit in the position he takes as to the need of this appropriation. I do not quarrel with the gentleman on that point; but, as a matter of fact, there is no legal authorization for this appropriation and I do not see how the Chair can escape sustaining the point of order.

Mr. CULKIN. Mr. Chairman, I find that page 235, part 1, of the hearings before the subcommittee, contains ample

evidence—I do not want to prolong the discussion indefinitely and do not wish to differ with the recollection of the distinguished gentlemen from Virginia, but there seems to be ample authority on that page for this amendment.

Mr. HILL of Alabama. Will the gentleman yield?

Mr. CULKIN. I yield.

Mr. HILL of Alabama. I might say as a member of the Committee on Military Affairs that those matters on page 235 are certain specific detailed appropriations and are not a sufficient authorization for the amendment offered by the gentleman from New York. They are for different projects—so much money for barracks and so much for noncommissioned officers—and different specific items. They would not authorize the amendment offered by the gentleman. In fact, there is no authorization for an appropriation.

Mr. CULKIN. I continue to disagree with the gentleman on that.

Mr. BANKHEAD. Will the gentleman allow me, if the gentleman will turn to page 245 of the hearings he will find this statement by General Bash in answer to a question by the gentleman from South Carolina [Mr. McMILLAN]:

The War Department proposes to submit authorizing legislation to this Congress for the construction projects in the following amounts.

So it would appear that the War Department recognizes that before additional housing can be had it will require additional legislation to authorize it.

The CHAIRMAN. The Chair is ready to rule. The amendment proposed by the gentleman from New York is for the construction or betterment of barracks for enlisted men and quarters for noncommissioned officers, staff or otherwise, the sum of \$50,000,000, to be allocated by the Quartermaster General in the manner heretofore authorized by Congress.

The Chair has been unable to find any law authorizing this appropriation, and the Chair thinks no authorization has been made to include the sum of \$50,000,000, and no legislation has been had authorizing the disbursement of the money by the Quartermaster General, and therefore sustains the point of order.

Mr. CULKIN. Mr. Chairman, I defer to the Chair's ruling, but may I later present it if I find such legislation? I now offer another amendment.

The Clerk read as follows:

Amendment by Mr. CULKIN: Page 9, after line 24, insert the following: "For the construction or betterment of barracks for enlisted men and quarters for noncommissioned officers, staff or otherwise, the sum of \$50,000,000."

Mr. PARKS. Mr. Chairman, I make the same point of order stated a moment ago.

The CHAIRMAN. The Chair is ready to rule. This amendment of the gentleman from New York proposes to appropriate \$50,000,000 for the construction or betterment of barracks for enlisted men, and so forth, as the other amendment provided. In the law regarding the construction or improvements of barracks, the Chair finds the following language in title 10, section 1339, of the United States Code:

Permanent barracks or quarters and buildings and structures of a permanent nature shall not be constructed unless detailed estimates shall have been previously submitted to Congress, and approved by a special appropriation for the same, except when constructed by the troops; and no such structures, the cost of which shall exceed \$20,000, shall be erected unless by special authority of Congress.

That special authority the Chair thinks has not been granted and, therefore, sustains the point of order, because it is legislation on an appropriation bill.

The Clerk read as follows:

#### FINANCE DEPARTMENT PAY OF THE ARMY

For pay of not to exceed an average of 12,000 commissioned officers, \$33,944,252; pay of officers, National Guard, \$100; pay of warrant officers, \$1,474,844; aviation increase to commissioned and warrant officers of the Army, including not to exceed 5 medical officers, \$2,186,501, none of which shall be available for increased pay for making aerial flights by nonflying officers at a rate in excess of \$1,440 per annum, which shall be the legal maximum rate as to such nonflying officers; additional pay to officers for length of serv-



ice, \$9,706,748; pay of not less than an average of 150,000 enlisted men of the line and staff, not including the Philippine Scouts, \$60,883,292, and in addition \$2,344,211 of the appropriation "Pay of the Army, 1936", which sum shall remain available until June 30, 1937, for defraying the cost of increasing the enlisted strength of the Regular Army from an average of 147,000 to an average of 150,873 enlisted men, and shall be available also for the objects embraced by and in addition to other appropriations contained in this act; pay of enlisted men of National Guard, \$100; aviation increase to enlisted men of the Army, \$508,782; pay of enlisted men of the Philippine Scouts, \$1,050,447; additional pay for length of service to enlisted men, \$4,759,614; pay of the officers on the retired list, \$12,369,850; increased pay to not to exceed 7 retired officers on active duty, \$9,145; pay of retired enlisted men, \$13,589,060; pay not to exceed 60 civil-service messengers at not to exceed \$1,200 each at headquarters of the several Territorial departments, corps areas, Army and corps headquarters, Territorial districts, tactical divisions and brigades, service schools, camps, and ports of embarkation and debarkation, \$72,000; pay and allowances of contract surgeons, \$53,076; pay of nurses, \$899,260; pay of hospital matrons, \$600; rental allowances, including allowances for quarters for enlisted men on duty where public quarters are not available, \$6,309,574; subsistence allowances, \$5,912,561; interest on soldiers' deposits, \$30,000; payment of exchange by officers serving in foreign countries, and, when specially authorized by the Secretary of War, by officers disbursing funds pertaining to the War Department, when serving in Alaska, and all foreign money received shall be charged to and paid out by disbursing officers of the Army at the legal valuation fixed by the Secretary of the Treasury, \$100; in all, \$153,759,906, less \$285,000 to be supplied by the Secretary of War for this purpose from funds received during the fiscal year 1937 from the purchase by enlisted men of the Army of their discharges, \$153,474,906; and the money herein appropriated for "Pay of the Army" shall be accounted for as one fund: *Provided*, That during the fiscal year ending June 30, 1937, no officer of the Army shall be entitled to receive an addition to his pay in consequence of the provisions of the act approved May 11, 1908 (U. S. C., title 10, sec. 803).

Mr. CONNERY. Mr. Chairman, I move to strike out the last word. It had been my intention in this bill to offer an amendment, but I find after consultation with the Parliamentarian that it would be difficult, if not impossible, to draw an amendment as a limitation on this appropriation bill along the lines I desire. I quote from a joint resolution which I introduced and which was referred to the Committee on Military Affairs in the last session of this Congress. The resolution is as follows:

That no arms, clothing, equipment, equipage, stores, or material heretofore or hereafter supplied by the United States to the National Guard, or heretofore or hereafter purchased for the use of the National Guard out of any funds appropriated at any time by the United States, shall be used by any unit of the National Guard of any State, Territory, or the District of Columbia while on duty for any purpose in connection with any labor strike, dispute, or controversy (whether or not martial law has been declared in force in respect thereof), unless express approval for such use is given at the time by the Secretary of War in each case for each such unit.

This resolution went before the Military Affairs Committee. Hearings were held upon it. I understand the committee took no action unless it laid the resolution on the table. I respectfully ask my friend the chairman of the Military Affairs Committee [Mr. McSWAIN] what action the committee took.

Mr. McSWAIN. I can merely say that the matter was considered; but I do not remember now that anybody was in favor of it.

Mr. CONNERY. I did not want to make a misstatement. That is why I asked for this information from the chairman at this time. I know that no action was taken insofar as reporting it to the House is concerned.

Mr. Chairman, I think that this is an important piece of legislation in connection with the National Guard. The purpose of it is to stop the Governors of States who are friendly with the big mill owners and corporations in a State from calling out the National Guard on the least provocation and using the National Guard for the purpose of breaking strikes in those States. We have had many instances of that, and, while no one, of course, is going to say that the National Guard should not be called out to keep law and order, and labor organizations are just as much in favor of that as anyone else, when we have the spectacle of Governors calling out the National Guard, when you have a picture, as was testified in those hearings, of National Guardsmen chasing a striker up onto the porch of his own home and then stabbing him to death, when you

have the picture of the National Guard being used, as it was in one instance, to herd 100 girls into a storehouse and keep them there all night at the behest of the owners of a mill, I do not believe any Member of Congress, or any self-respecting person in the country, would approve the National Guard being used for such purposes. All I ask in the resolution, all I was going to ask as an amendment, if it could be held as a limitation, is that the Governor of any State, in case of a labor trouble, be compelled to go to the Secretary of War and ask for the National Guard, in a situation such as I have described, believing, in those circumstances, that immediately the Secretary of War would confer with the President of the United States, that the President would then look over the situation, and that in an emergency they could send in the guard. But the situations to which I refer are not emergencies, they are instances where the big mill owners and manufacturers are merely using the National Guard of the country to break strikes. I do not think that is right; I think it ought to be changed; and I hope that the Committee on Military Affairs will reconsider the resolution.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. CONNERY. Mr. Chairman, I ask unanimous consent to proceed for 2 minutes.

Mr. ZIONCHECK. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for 3 minutes.

Mr. PARKS. Mr. Chairman, I shall not object to the gentleman having 3 more minutes, but I shall have to object to any more.

The CHAIRMAN. Is there objection to the gentleman from Massachusetts proceeding for 3 minutes?

There was no objection.

Mr. MERRITT of New York. Mr. Chairman, will the gentleman yield?

Mr. CONNERY. Yes. I yield to my friend from New York.

Mr. MERRITT of New York. The gentleman is willing to have the Governor of each State go to the Secretary of War or to the President in order to get the National Guard?

Mr. CONNERY. Yes. The labor unions are as much in favor of calling out the guard to protect law and order as anyone, but anyone who has made a study of labor conditions and strikes knows that the National Guard is always used against labor, and never for its protection.

Mr. ZIONCHECK. Will the gentleman yield?

Mr. CONNERY. I yield to my friend from Washington.

Mr. ZIONCHECK. In Tacoma, Wash., we had a lumber strike and our Governor, who happens to be a flour-mill owner, called out the National Guard. I have documentary proof here that Secretary of Labor Perkins and the President of the United States objected and asked him to withdraw those troops so that violence would not come about, but he still kept them there, and we were paying the National Guard with Federal money.

Mr. CONNERY. The gentleman is absolutely correct. That is just what I want to prevent.

Mr. MAAS. Will the gentleman yield?

Mr. CONNERY. I yield to my Minnesota friend.

Mr. MAAS. The gentleman makes the statement that the National Guard is only called out against labor.

Mr. CONNERY. That is right.

Mr. MAAS. Is the gentleman familiar with the fact that the Governor of Minnesota has been using the National Guard of that State to enforce strikes?

Mr. CONNERY. And when they went into court on it, the court said, "This is nonsense. You cannot use the National Guard to protect labor." The only time they ever use the National Guard is against the workers.

Mr. MAAS. But they were not protecting the workers. They were preventing labor from working.

Mr. CONNERY. Oh, they closed the factory. The court said to them, "You cannot close a factory with the National Guard." Of course, we all know, and it needs no proof, that whenever they are to be used for labor they are all wrong.

Mr. McSWAIN. Will the gentleman yield?

Mr. CONNERY. I yield.



Mr. McSWAIN. Does not the gentleman remember that when he was before the committee I called his attention to the fact that the Governor of South Carolina, a fine gentleman, who was reared in a cotton mill, self-educated, still carries a union card, largely elected by the labor vote, was called upon to send out the National Guard at the instance of the strikers to protect them, and, finally, seeing the matter was settled, he withdrew the National Guard, and in less than 24 hours the employees got into a fight amongst themselves and had a regular battle and fired 500 shots and killed one woman?

Mr. CONNERY. I would say that nothing of that sort could happen if they had to go to the Secretary of War or to the President of the United States first. The governors of States will be stopped from calling out the National Guard every time there is a labor dispute if this law were enacted.

[Here the gavel fell.]

The pro-forma amendment was withdrawn.

Mr. SAUTHOFF. Mr. Chairman, I offer an amendment. The Clerk read as follows:

Amendment offered by Mr. SAUTHOFF: Page 12, line 1, strike out "\$153,474,906" and insert in lieu thereof "\$121,475,093."

Mr. SAUTHOFF. Mr. Chairman, the purpose of my introducing this amendment is to reduce that figure "Pay of the Army" by \$32,000,000. The reason I seek to reduce is that I see no logical purpose being served by increasing the pay, because there is no more danger of war now, no more danger of internal disorder now, than there was 3 years ago.

In 1935 the pay was the figure which I have in my amendment, namely, \$121,475,093. The pay of the Army in 1936 was \$146,962,485. In 1937 there is recommended \$153,474,906. That means an increase of \$32,000,000 in 3 years. What I would like to see done with this money is to use it for unemployment purposes and to put men on jobs. I have no objection to paying good salaries when we have the money. I have always been in favor of paying good salaries. I would be in favor now of paying good salaries, but when there are 10,000,000 people without jobs, it seems to me highly improper that we should raise these wages and pay \$32,000,000 extra, and leave 10,000,000 people without jobs. Let us take some of this money that we are placing in these increases for the Army and for the Navy and for other military purposes, and devote that money to relieving unemployment and taking care of those who are walking the streets without jobs.

Mr. WOODRUM. Does the gentleman care to yield?

Mr. SAUTHOFF. Surely.

Mr. WOODRUM. Does the gentleman realize the fact that if his amendment should be adopted, the effect of it would be to immediately discharge from the Army approximately 50,000 enlisted men, and instead of helping unemployment, he would aggravate it to that extent?

Mr. SAUTHOFF. No; not necessarily. Could not the wages be cut?

Mr. WOODRUM. How does the gentleman explain it? The wages are fixed by law. If you turn 50,000 men out of the Army tomorrow, what are we going to do with them?

Mr. SAUTHOFF. Why can we not fix the wages by law?

Mr. WOODRUM. The gentleman wants to relieve unemployment. Now, turning 50,000 men out of the Army tomorrow means adding to unemployment. What are you going to do with them?

Mr. SAUTHOFF. I want to answer that statement, because it is not a correct statement. We could always lower the wages. We have the power to make the laws. We are letting 10,000,000 go without any wages. I think that we should find some money to help them.

Mr. MAAS. Will the gentleman yield?

Mr. SAUTHOFF. I yield.

Mr. MAAS. Does the gentleman know what the wages of a private in the Army are?

Mr. SAUTHOFF. Oh, I know they are very low.

Mr. MAAS. Twenty-one dollars a month. Does the gentleman want to cut that?

Mr. SAUTHOFF. Surely, if it will give somebody who is out of a job a chance to get something to eat. I am in favor

of cutting salaries, officers particularly, if thereby we can get more for the unemployed.

Mr. MAAS. How much would the gentleman pay the enlisted men in the Army, then?

Mr. SAUTHOFF. I am not setting any standard, but what I want is about \$100,000,000 of war appropriations to help take care of unemployment. That is what I am after.

Mr. BOILEAU. Will the gentleman yield?

Mr. SAUTHOFF. I yield.

Mr. BOILEAU. The gentleman from Virginia made the statement that we would have to cut down the enlisted personnel in order to save \$32,000,000.

I do not believe it would require such a large cut, but it would seem to me that the cut should not come entirely from the enlisted men. It might not do any harm to reduce the officer personnel as well. Much more money could be saved by reducing some of the officers.

Mr. SAUTHOFF. The gentleman from Wisconsin is absolutely right. When you see the thousands of Army and Navy officers hanging around Washington doing nothing, you come to the conclusion that they could easily be cut. Let me remind the Members with what unseemly haste the bill was hustled through Congress last summer to increase the number of officers from 4,000 to 5,000, and the date when the measure was to become effective was moved forward 1 month so that pay increases might be had 30 days earlier. All other measures had to make way to effect this purpose. No such haste is shown in raising funds for unemployment. No such tenderness of sentiment is shown regarding the pay of those on Government jobs. Although we are experiencing one of the coldest and severest winters in our history, the poor, homeless, ill-fed, ill-clad unemployed can wait. They have no lobby, no gold braid, no social prestige. To hell with them—they do not count!

Who pays this war-tax bill which takes 60 cents out of every dollar raised by Federal taxation? Our citizens, of course! Can they stand these increases that mount up year by year? Let us see. The mortgage indebtedness of the State of Iowa is \$452,902,815; of Wisconsin, \$355,029,993; of Minnesota, \$235,114,123. This makes a total of \$1,042,047,031 for only three States, agricultural States, largely devoted to dairying; debt-ridden; drought-ridden; tax-ridden. Harassed by dairy imports from foreign lands and butter substitutes from the South, these farmers must now pay out more hard-earned money so that our Army may have high-class polo and our Navy build more battle-ships and cruisers so that United States Steel and Bethlehem and Du Pont and others may have profits running from 50 to 60 percent. I am afraid that we are placing our emphasis on the wrong things. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment of the gentleman from Wisconsin.

The amendment was rejected.

Mr. ZIONCHECK. Mr. Chairman, I offer an amendment. The Clerk read as follows:

Amendment offered by Mr. ZIONCHECK: Page 12, line 1, strike out "\$153,474,906" and insert in lieu thereof "\$146,962,485."

Mr. ZIONCHECK. Mr. Chairman, this amendment follows along the line of the amendment offered by the gentleman from Wisconsin, only it is not so drastic. His amendment reduces the appropriation for Army pay from \$153,000,000 to \$120,000,000, which was the appropriation in 1935. The amendment I am submitting now for your approval—and I hope it will receive approval, despite the fact some people do not listen and others listening do not understand.

This amendment reduces the Army pay to that of 1936, which was the largest Army pay in the United States of America during any year of peace. The chairman of our committee admits that the Congress appropriated \$20,000,000 for one particular activity of the Army last year—he can tell you what it was; I forget—then the Bureau of the Budget allowed but \$11,000,000 for this purpose, and they got along with it somehow or other. All that the chairman says here is not surrounded by a halo. The Bureau of the Budget cuts a \$20,000,000 item to \$11,000,000, even after Congress author-



ized the larger amount as absolutely necessary, and somehow or other the Army still exists. Is not this funny? Can any Member of Congress believe that? My God! Can you believe it? The chairman cannot deny it. He dare not deny it!

The point brought out by the gentleman from Wisconsin [Mr. SAUTHOFF] was that this money be used for something else. Go down to Fort Humphreys, to Belvoir, to Fort Myer, and see where they are building \$14,000 shanties for lieutenants, furnishing them. They do not make enough money after they buy their food to keep their houses warm, so now they have to furnish them fuel.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. ZIONCHECK. I yield.

Mr. MARCANTONIO. Does the gentleman know that 3,500,000 school children were unable to go to school in the United States because the counties did not have funds to keep the schools open?

Mr. ZIONCHECK. That is immaterial. Take care of the Army. Do not bring in irrelevant matter.

After all that, as soon as an officer reaches retirement age he is retired at almost full pay. The officers have a better status than do civil-service employees, because if you try to discharge an Army officer or a soldier, he has a place where he can appeal. You do not furnish that to anyone else. Why do you give them these special privileges? Is it because they kill people or are trained to kill people?

As I stated yesterday, I am no starey-eyed pacifist. I recognize that as long as the profit system lasts—and it may last as long as I live, and longer—we have got to have an army and navy, because without an army and navy you cannot have private property.

Mr. MAAS. Mr. Chairman, will the gentleman yield?

Mr. ZIONCHECK. Just a minute; the gentleman from Minnesota will not add anything to this.

Mr. MAAS. Oh, yes; I will.

Mr. ZIONCHECK. No, you will not. Mr. Chairman, I do not yield. Because without the Army and Navy, without police forces, those who have could not withstand those who have not, for those who have not would take it away from them. And maybe that is not all.

[Here the gavel fell.]

Mr. ZIONCHECK. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

Mr. PARKS. I object, Mr. Chairman.

Mr. FADDIS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, yesterday the gentleman from Nebraska [Mr. LUCKEY], in his statements before the Committee, spoke critically regarding the expenditure of the money which we appropriate for national defense. I am sure the gentleman from Nebraska wishes to be fair; but by his implications he has created a false impression, which should not remain in the minds of this Committee or go out to the taxpayers of the Nation unrefuted. The Army is the people's Army, and they should be correctly informed of the facts.

Mr. LUCKEY, on page 1933 of the CONGRESSIONAL RECORD of February 12, draws comparisons between the size and cost of maintaining the Army of the United States and the armies of various foreign countries, as follows:

	1919-34	1929-34
United States.....	\$22,273,600,000	\$3,973,100,000
Great Britain.....	20,174,500,000	2,646,600,000
France.....	6,926,500,000	3,048,400,000
Italy.....	6,884,100,000	1,827,100,000
Japan.....	4,817,700,000	1,258,600,000
Germany.....	1,952,400,000	1,112,900,000

These figures show the cost per man to be much greater in the United States Army than in the army of any other nation except that of Great Britain.

Now what I wish the gentleman from Nebraska and the committee to understand is this: There are two kinds of armies in the world. First, we have the small highly trained volunteer professional army possessing a high degree of

mobility, its personnel well fed, well clothed, well cared for, good hospital facilities, adequate facilities for amusement. Second, we have the large conscripted army, having a lower degree of mobility, poorly fed, practically unpaid, and cared for proportionately. The Armies of the United States and Great Britain are of the first kind. The Armies of France, Italy, Japan, and Germany are of the second kind.

There is no comparison between the type of men in the two types of armies. The Armies of the United States and Great Britain are composed of a fine type of men. The type of men which compose our small Army is the nucleus upon which will be built, in case of emergency, our great citizen army of more than 4,000,000 men. This requires a high type of men, and they must be reimbursed, cared for, and equipped accordingly. Conscription in time of peace has always been contrary to our national ideals; therefore, we maintain, although at greater cost per man, the first type of army. I believe in this connection the following facts would be interesting to the members of the committee and to the taxpayers of the Nation:

Mr. LUCKEY's figures do not truly represent comparisons between the cost of our own national defense and that of the other five great powers. From the data which I have at hand covering the years 1929 to 1934, Great Britain, for example, spent 25 percent more from her defense budget than Mr. LUCKEY shows; Germany at least 20 percent more, and Japan at least 75 percent more. Nor do these figures tell the entire story.

In France, for example, the remount service and the establishments that go to make up the raising and handling of horses is hidden away under allotments to the Agricultural Department and do not show in the budget figures for the Defense Departments.

Manifestly, to compare the French War Department budget with the American War Department budget for this item would show an incorrect figure.

In 1907 the Japanese appropriated the sum of 800,000,000 yen as a continuing expense to be spread over the period ending 1946. The appropriated part spent in any fiscal year would not appear in the regular annual budget. Other countries, notably France, in connection with the permanent fortifications on the western front, have done likewise.

Attention is invited to the fact that in many countries first figures published under a budget heading are changed by such devices as ex-post-facto decrees and supplementary estimates that are issued years later. Accordingly, a variation may be expected from year to year in reports under the above appropriation headings.

A fair comparison of how money is spent by any two countries for national defense cannot be made without a statement of the difference of the standard of living of any two countries. To illustrate: The relative cost of living in the United States is three times as great as in Japan. Italy furnishes her soldiers with a square piece of cloth for a sock. We furnish our soldiers with a splendid knitted sock. The pay of the personnel in most foreign armies is such that the soldier can barely exist. We pay our personnel at least a living wage. It is reported that a very large portion of the cost of Japan's troops now on the mainland of Asia is paid from the resources of the occupied territories. The income of the South Manchuria Railway and the coal mines in Manchukuo are said to help pay for Japan's conquest of Asia.

Thus, we see that the figures presented by Mr. LUCKEY in no wise present the real picture of comparative costs of national defense in the various countries. His contention that the national defense of other countries is economically secured and that ours is not is not based on fact. I have served in our armed forces and have been closely connected with them since the World War. We get a return for our expenditures on national defense which compares favorably with that of a large well-regulated business as well as with the national defense of any other country.

Mr. McSWAIN. Will the gentleman yield?

Mr. FADDIS. I yield to the gentleman from South Carolina.



Mr. McSWAIN. Is it not a fact with reference to this matter of the Army defending private property that the largest army in the world and the largest air force in the world is maintained by Russia, where there is no private property?

Mr. FADDIS. That is true.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington [Mr. ZIONCHECK].

The question was taken; and on a division (demanded by Mr. ZIONCHECK) there were—ayes 9, noes 73.

So the amendment was rejected.

Mr. ZIONCHECK. Mr. Chairman, I object to the vote on the ground there is not a quorum present.

Mr. RANKIN. The gentleman cannot get a roll call that way.

Mr. ZIONCHECK. I know we cannot, but we can get a breathing spell.

The CHAIRMAN. One hundred and three Members are present, a quorum. The Clerk will read.

The Clerk read as follows:

No appropriation for the pay of the Army shall be available for the pay of any officer or enlisted man on the active list of the Army who is engaged in any manner with any publication which is or may be issued by or for any branch or organization of the Army or military association in which officers or enlisted men have membership and which carries paid advertising of firms doing business with the War Department: *Provided, however*, That nothing herein contained shall be construed to prohibit officers from writing or disseminating articles in accordance with regulations issued by the Secretary of War.

Mr. MOTT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, before we proceed further and before the matter has slipped the minds of the Members, I want to comment briefly on the observation made yesterday by the gentleman from New York [Mr. CULKIN] to the effect that Congress has lost its jurisdiction in the field of river and harbor improvement. I also want to express my sympathy for the gesture made yesterday by the gentleman from Indiana [Mr. PETTINGILL] in trying to recapture some of this jurisdiction. I do not believe that his proposed method of recapture would be an effective one, but I do think this lost jurisdiction ought to be recaptured.

The gentleman from Indiana stated that when the proper place is reached in the river and harbor portion of this bill he would offer an amendment authorizing the War Department to expend the sum of about \$7,000,000 out of the river and harbor appropriation carried in the bill, for the purpose of prosecuting authorized projects in the Great Lakes district. I do not think this particular proposed amendment can prevail or that it ought to prevail, because if it is fair to earmark in this general appropriation bill the sum of \$7,000,000 for authorized projects in the Great Lakes district, then certainly it would be equally fair to include particular specifications for expenditures in other districts throughout the country. And so, when the gentleman gave notice that he would offer the amendment, I checked up on the number and amount of authorized river and harbor projects in my own State, in order that I might be prepared in that event to offer a substitute amendment.

Mr. Chairman, I found there are a half dozen regularly authorized projects in Oregon, some having been authorized for as long a period as 3 or 4 years, and amounting in all to \$1,396,000. These are not projects created by Executive orders but are projects actually authorized by the Congress and approved by the Board of Army Engineers. If it is fair to include the Great Lakes projects specifically in this bill certainly it would be fair to include these authorized projects in Oregon, and if the gentleman offers his amendment I shall offer my substitute.

I do not think we can reach the situation in that manner, and I do not think the gentleman should attempt it in that way, but I do believe that the Congress and the Rivers and Harbors Committee have lost practically all of their effective jurisdiction in this field of legislation, and I believe we should begin now to recapture it.

I wonder if Members have ever stopped to think how little actual authority the Congress has left in the matter of river and harbor legislation? Briefly, the procedure in river and harbor improvement is this: The Rivers and Harbors Committee may by resolution authorize the War Department to make a survey of a proposed river and harbor improvement. Then the district engineer, upon this committee authorization, makes a survey. After he makes his survey the division engineer makes another survey and a report. It goes then to the Board of Army Engineers upon the report of the division engineer, and if the Board of Army Engineers should disapprove the recommendation of the division engineer, the Congress never hears any more of the proposition. The whole matter automatically stops right there. If the Board of Army Engineers should approve the division engineer's report, then it comes back to the Congress for authorization. Not for appropriation, mind you, but simply for authorization. The authorization in most cases by the Congress is merely a formality. Congress authorizes it solely because the Board of Army Engineers has approved it.

After that what takes place? We go then to the Appropriations Committee for the purpose of trying to get the money to carry out this authorization of the Congress. And what do we find? At the present time there are \$300,000,000 worth of river and harbor projects authorized by the Congress and approved by the Board of Army Engineers. Every one of them are legitimate, meritorious, and necessary projects.

[Here the gavel fell.]

Mr. MOTT. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. MOTT. There are \$300,000,000 of authorized river and harbor projects. I do not include any projects which were started by an order or a proclamation of the President. These are all authorized by congressional action. These are all projects which the Congress itself has said should be prosecuted to completion.

We go before the Appropriations Committee and what do we find? We find that the Army engineers have informed the committee and the Budget as to the amount of money they need to carry out this work. They need \$300,000,000. They say it will require approximately \$200,000,000 of that to prosecute that portion of the authorized projects which really ought to be done this year. And what does the Budget Director do about that? The Budget Director gives them only \$100,000,000, or one-third of the money needed to prosecute the projects already authorized by Congress. Then what does the committee do? Why it follows the Budget. So the Congress is helpless. It finds itself deprived entirely of any real authority to compel the doing of that which it has authorized and directed to be done.

I repeat that both the Rivers and Harbors Committee and the Congress of the United States have surrendered practically all of their effective jurisdiction in the field of river and harbor improvement, and have turned the whole thing over to the Board of Army Engineers and the Director of the Budget.

Mr. Chairman, I hope when this period of hysteria is over and when the Congress shall again have made up its mind really to legislate, that the matter of river and harbor improvement will be the first field in which the Congress will undertake to recapture at least a part of its surrendered jurisdiction. [Applause.]

The pro-forma amendment was withdrawn.

The Clerk read as follows:

For the payment of claims of officers, enlisted men, and nurses of the Army for private property lost, destroyed, captured, abandoned, or damaged in the military service of the United States, under the provisions of an act approved March 4, 1921 (U. S. C., title 31, secs. 218-222), \$15,000.

Mr. BURDICK. Mr. Chairman, I move to strike out the last word.



Mr. Chairman, this is the only opportunity the western country will have, I believe, to express its attitude in respect of this bill.

I may say in the beginning we have the highest confidence in both the chairman of the committee and the chairman of the subcommittee. We know no finer gentlemen in this Congress, and we have great confidence in them.

There are just a few things we want to have answered, if we may, and I hope someone during the debate will answer these questions. We can see no reason why the appropriations for Army purposes should be increasing all the time. We do not see any element that calls for increased expenditures, and I want to read the expenditures for strictly Army maneuvers in this country from 1913 to 1936, as follows:

1913-----	\$108,382,063
1917-----	401,418,217
1921-----	439,485,095
1922-----	329,050,896
1924-----	250,714,592
1933-----	309,762,555
1934-----	279,122,789
1935-----	341,348,204
1936-----	374,981,521

The amount keeps increasing all the time, and we cannot see any reason why this should be true.

There is one further matter I wish to call to the attention of the House in connection with the activities that are not purely military, such as are provided for in title II of the bill.

It is my profound opinion that the nonmilitary activities of the War Department should be increased. There is no reason in the world why we should spend money for river and harbor improvement and flood control and still leave the great fortress of defense of this country open to attack. In drought and flood areas we should use a part of this appropriation to supply feed and seed and keep the factories of food in running order.

If we had war tomorrow, the first thing you gentlemen would all ask is, how are we going to feed the Army and the people at home? Food is the foundation of the defense of any country, and there has never been a war written on in the pages of human history where the preponderance of food was not on the side of the winners of the war. I say to you today, we are practically defenseless so far as that situation is concerned. Every Member of this Congress knows we have some 62,000,000 people in this country in some acute condition of distress. Last year we had 23,000,000 people on relief who had nothing. We had 20,000,000 people living on part relief and short-time work, and we had another 19,000,000 people living on mortgages on property representing their accumulations of a lifetime.

I say to you that defense of this country is necessary, and I am just as much for it as any Member of the House. My people have lived in this country since 1634, and we have been in every war, and we will be in the next war if it is necessary for the defense of this country; but I am pointing out to you that the great power of defense is not in battleships, not in the number of officers or the number of men, but the real defense of this country is the psychological condition of the minds of the people and their stores of food. [Applause.]

The Clerk read as follows:

#### QUARTERMASTER CORPS

Subsistence of the Army: Purchase of subsistence supplies: For issue as rations to troops, including retired enlisted men when ordered to active duty, civil employees when entitled thereto, hospital matrons, applicants for enlistment while held under observation, general prisoners of war (including Indians held by the Army as prisoners but for whose subsistence appropriation is not otherwise made), Indians employed by the Army as guides and scouts, and general prisoners at posts; ice for issue to organizations of enlisted men and offices at such places as the Secretary of War may determine, and for preservation of stores; for the subsistence of the masters, officers, crews, and employees of the vessels of the Army Transport Service; meals for recruiting parties and applicants for enlistment while under observation; for sales to officers, including members of the Officers' Reserve Corps while on active duty, and enlisted men of the Army. For payments: Of the regulation allowances of commutation in lieu of rations to enlisted men on furlough, and to enlisted men when stationed at places where rations in kind cannot be economically issued.

including retired enlisted men when ordered to active duty. For payment of the regulation allowance of commutation in lieu of rations for enlisted men, applicants for enlistment while held under observation, civilian employees who are entitled to subsistence at public expense, and general prisoners while sick in hospitals, to be paid to the surgeon in charge; advertising; for providing prizes to be established by the Secretary of War for enlisted men of the Army who graduate from the Army schools for bakers and cooks, the total amount of such prizes at the various schools not to exceed \$900 per annum; and for other necessary expenses incident to the purchase, testing, care, preservation, issue, sale, and accounting for subsistence supplies for the Army; in all, \$25,693,741, and, in addition, \$501,714 of the appropriation "Pay of the Army, 1936", which shall remain available until June 30, 1937: *Provided*, That none of the money appropriated in this act shall be used for the purchase of oleomargarine or butter substitutes for other than cooking purposes, except to supply an expressed preference therefor or for use where climatic or other conditions render the use of butter impracticable.

Mr. CARPENTER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman and Members of the Committee, Fort Riley, Kans., is in my congressional district, and naturally people interested in this military post look to me to represent them in connection with the Army affairs that affect Fort Riley.

Fort Riley is the principal Cavalry school of the Army. I am very pleased to note the action of the Committee in giving more consideration to the place that the horse takes in the present Army set-up and in any war that we may have.

I want to direct the attention of the Committee to the speech of Major General Parker, that appears in the CONGRESSIONAL RECORD of February 7, placed there by Senator LOGAN. He says:

It is frequently stated in public discussions in the press that the horse is no longer an important factor in war. In fact, his complete disappearance from the battlefield of the future is predicted by some people. Such critics generally refer to the World War for confirmation of their opinion.

Actually the World War brought out the fact that the horse has never been so useful in war as he is now. This is true not only of the cavalry horse but of the artillery horse, the horses and mules used in Signal Corps reel carts and pack reels, and the horses and mules used by the supply services for wagon and pack transportation, as well as the pack animals used for pack, artillery, and machine guns. In all of these uses the horse and mule are more dependable than any machine for bringing supplies up close to the front lines.

He also quotes General Summerall:

That there has been a great deal of misinformation broadcast relative to the Cavalry. It is a fact that cavalry is of far more importance than it ever has been.

I want to call further attention to a statement by General Bash, in answer to a question by the gentleman from Pennsylvania [Mr. SNYDER], which can be found on page 221 of the hearings, in which General Bash says:

But we do find unfortunately for economy that there are many places and many circumstances in which the four-legged animal will get you there when the motor will bog.

The valuation of Fort Riley is approximately \$12,000,000, principally represented in buildings.

Now, I rose not to make a speech but to get some information. I would like to know if the appropriation for the repair and maintenance at Fort Riley has been reduced in this bill—Fort Riley and other posts.

Mr. PARKS. The allocation of the appropriation for repairs at military posts is about \$250,000 less than is available this year.

Mr. CARPENTER. A few years ago when we were not appropriating as much as we are in this bill for the War Department, better than \$3,000,000 was provided in the appropriation for repairs and maintenance of military posts. Fort Riley alone was given more than \$300,000. I cannot understand, when we have before us the largest appropriation bill we have ever had, why we should not have a larger appropriation for repair and maintenance of our military posts in this country.

Mr. PARKS. We have been appropriating money for repairs and maintenance year after year, and we figured that the repairs would be enduring, and there has been a good deal of money allotted from relief agencies. I have been at most of the posts and I can understand how people feel about their housing, but it is a question of money. But let me say



this to their everlasting credit: When you talk to men at these posts where the housing situation is so bad, they say that if they cannot get the money they will take their guns and equipment and will put up with the present housing.

The morale is magnificent. Every man who has seen actual conditions wants to give our Army people houses fit to live in. It is just a question of money and priority, and every one of these men who came before us, and I brought them from as far away as Hawaii, said, "We will put up with our housing, but give us something for national defense above houses."

Mr. CARPENTER. Mr. Chairman, I thank the gentleman from Arkansas for this information.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. CARPENTER. Mr. Chairman, I ask unanimous consent to proceed for 2 minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CARPENTER. Mr. Chairman, we have a certain civilian force at Fort Riley, and that is true in other posts in the country, who are trained to do this repair work. The situation at Fort Riley has been that there was not means to keep the ordinary repair force at work. During the last year or two a part of the force has worked for 1 month, and then has been laid off the following month, and the other half of the force has been employed. In other words, they have been employed half the time. I believe it would be a movement toward economy to have a trained force there at all times. I appreciate the fact that we are getting some relief funds for this repair work. I think the chairman promised us that on the floor last year, and that relief money has come. Yet we still have the question of civilian employees under civil service, and they feel that they are unfairly treated.

In conclusion, I thank the committee for their consideration of the horse, and I am pleased that they appreciate the fact that the horse is so important in connection with the Army and with warfare.

Almost everyone likes horses. There is something about a horse that always excites your interest and admiration, and of all the Army's peacetime activities the most popular one is the horse show. Wherever the Army may go, or in what undertaking it may be engaged the horse will make it more friends than most anything else. It would be well for the General Staff to bear in mind that if they desire to keep the warm contact that is most desirable with the civilians, they can do it as well through the horse as any other attempt. Especially in rural communities, where the people are not particularly favorable to large appropriations for the Army or the Navy, or interested in other undertakings of our military forces, they will turn out whenever the Cavalry comes in their neighborhood to take part in the county fairs or other local enterprises.

The Clerk read as follows:

Army transportation: For transportation of Army supplies; of authorized baggage, including packing and crating; of horse equipment; and of funds for the Army; for transportation on Army vessels, notwithstanding the provisions of other law, of privately owned automobiles of Regular Army personnel upon change of station; for the purchase or construction, not to exceed \$786,000, alteration, operation, and repair of boats and other vessels; for wharfage, tolls, and ferriage; for drayage and cartage; for the purchase, manufacture (including both material and labor), maintenance, hire, and repair of pack saddles and harness; for the purchase, hire, operation, maintenance, and repair of wagons, carts, drays, other vehicles, and horse-drawn and motor-propelled passenger-carrying vehicles required for the transportation of troops and supplies and for official military and garrison purposes; for hire of draft and pack animals; for travel allowances to officers of National Guard on discharge from Federal service as prescribed in the act of March 2, 1901 (U. S. C., title 10, sec. 751), and to enlisted men of National Guard on discharge from Federal service, as prescribed in amendatory act of September 22, 1922 (U. S. C., title 10, sec. 752), and to members of the National Guard who have been mustered into Federal service and discharged on account of physical disability; in all, \$12,139,083, of which amount not exceeding \$250,000 shall be available immediately for the procurement and transportation of fuel for the service of the fiscal year 1937: *Provided*, That not to exceed \$1,000,000 of this appropriation shall be available for the purchase or exchange of motor-propelled passenger-carrying vehicles

and motor-propelled trucks, including trucks of the reconnaissance or station wagon type, of which amount not to exceed \$146,000 may be expended for the purchase of light and medium passenger-carrying automobiles at a unit cost of not to exceed \$750 for light automobiles and \$1,200 for medium automobiles, including the value of any vehicle exchanged, and not to exceed \$90,000 may be expended for the purchase or exchange of motor-propelled ambulances and motorcycles: *Provided further*, That no appropriation contained in this act shall be available for any expense of any character, other than as may be incident to salvaging or scrapping, on account of any motor-propelled vehicle procured prior to January 1, 1920, except tanks, tractors, ambulances, fire trucks, searchlight trucks, 390 modernized class B trucks, and vehicles in use by Reserve Officers' Training Corps units on February 19, 1935: *Provided further*, That during the fiscal year 1937 the cost of transportation from point of origin to the first point of storage or consumption of supplies, equipment, and material in connection with the manufacturing and purchasing activities of the Quartermaster Corps may be charged to the appropriations from which such supplies, equipment, and material are procured.

Mr. SCOTT. Mr. Chairman, I move to strike out the last word. I make no pretense to knowing anything about military tactics or strategy. I would much prefer to place my confidence in the committee, but I do not believe that I can be expected on 1 year's service here to say that the committee is exactly right, and, therefore, that their judgment is mine. Perhaps after I have been here longer I can do that. I shall have to see the committee in action for a longer time before I can always rely on their good judgment.

It seems to me that this bill has a pretty good-sized appropriation. It looks like a lot of money. Maybe it is necessary and then, again, perhaps it is not. I do not want it ever to be said that opposition of mine to national defense or opposition to a bill of this kind left the United States in a position where it was not able to defend itself against encroachment, against some offensive by a foreign country. Neither do I want it ever said that I favored a bill or voted for a bill to build up a military organization that became so large or so strong that, due to somebody's whim or due to some incident that might occur abroad, it carried American soldiers again outside the borders of our country. If we are building for national defense, as I understand it, it is to keep some foreign country from coming over here. When does a military, or, for that matter, a naval establishment, cease to be a defensive weapon and become an offensive weapon? I have heard that question argued by a lot of different people.

Mr. McSWAIN. Mr. Chairman, will the gentleman yield?

Mr. SCOTT. Oh, I have just a moment. I am not attempting to batter down anything, but I want to express my opinion. I know that if a country begins to attack us, it is probably necessary for us to meet that offense before it arrives, but how far out should we go in order to meet the offense? When do we know when an offense is going to be started, or can we figure, perhaps, when one is going to be started? It may be that this is all being built up for a purpose. It may be that something is going on in the world that I do not know anything about. It may be that other gentlemen do know what is going on that some of us have not yet seen. I think that if such conditions are developing, that perhaps some of the departments of the Government know about, we should be informed of them so that we can go along better, knowing why these things are being done.

There is a vague possibility that somebody, maybe the Army or an Army officer or a Navy group, perhaps somebody in a patriotic society, outside of the Army, is doing the stirring up that is leading us to prepare on a much larger scale than we have ever prepared before. In connection with that may I call attention to an editorial that appears in the Washington Daily News? I do not know whether it is going to be all right with those who are here, but noting certain absences I suppose it will be all right for me to quote from the Daily News. I do not know whether it is always mistaken or not. The editorial is entitled "Who's in the Wood Pile?" and reads as follows:

#### WHO'S IN THE WOOD PILE?

Senator TYDINGS read in the newspapers that Secretary of War Dern was "not especially interested" in the Tydings-McCormack military disaffection bill.

That being true, the Senator wrote in a letter to the Secretary, "Neither am I, who originally introduced the measure."



This affords an interesting sidelight on how our laws are made. Somebody representing the Navy Department handed the bill to the Senator and told him the War and Navy Departments wanted it passed. So the Senator introduced it. And in due course, when no one especially was paying attention, the bill was passed by the Senate and sent to the House where, fortunately, it still rests. Now the Senator finds that the head of one of the military establishments is not interested in the measure, and apparently never has been. So the Senator withdraws his support from the bill. So far as that branch of Congress where he sits is concerned, the Senator closes the barn door after the horse has been stolen.

We suggest that the Senator, who has been made the goat, pursue this interesting matter further and find out just who is back of this measure which would make it a penal offense to criticize the Army or Navy.

Is it the proposal of some group of swivel-chair military and naval attachés who have been so unmindful of military rules as to mix into the politics of lawmaking? Or, perhaps, some officers who think they need something more than autocratic military authority over subordinates to maintain discipline in the ranks? Or is it just the product of some executive secretary of a super-patriotic society who has to manufacture red scares to keep his job?

Let's find out who it is that is so eager to court-martial civilian speech.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. SCOTT. Yes.

Mr. McCORMACK. Does the gentleman himself believe that the bill does that?

Mr. SCOTT. Oh, no; but I believe that there are some dangerous implications in the bill, and that it would be better left unenacted than it would be to enact it.

Mr. McCORMACK. I respect the gentleman's views, and I appreciate his personal intellectual honesty and frankness in admitting that he does not personally think that the phraseology of the bill accomplishes what some people believe they see.

Mr. SCOTT. Some of those who attack the bill are often led to exaggeration, just as some of those who rush to your support.

[Here the gavel fell.]

The pro-forma amendment was withdrawn.

The Clerk read as follows:

#### HORSES, DRAFT AND PACK ANIMALS

For the purchase of draft and pack animals and horses within limits as to age, sex, and size to be prescribed by the Secretary of War for remounts for officers entitled to public mounts, for the United States Military Academy, and for such organizations and members of the military service as may be required to be mounted, and for all expenses incident to such purchases (including \$72,155 for encouragement of the breeding of riding horses suitable for the Army, in cooperation with the Bureau of Animal Industry, Department of Agriculture, including the purchase of animals for breeding purposes and their maintenance), \$681,337.

Mr. DIRKSEN. Mr. Chairman, I move to strike out the sign and figure "\$681,337."

I do so only for the purpose of seeking a little enlightenment from the committee.

It is my understanding that a few years ago we had approximately 40,000 horses in Uncle Sam's Army, and that the total number is now somewhere in the neighborhood of 20,000. Along with that I have read very carefully the annual statement of the Chief of Staff, in which he places a great deal of emphasis upon motorization and mechanization of various units of the Army. I read the testimony of General Bash in the hearings, which is much along the same line. Then I was quite intrigued by the incident of Gen. Paul B. Malone's tactical problem at Puget Sound, where he indicated what could be done through the agency of motorization. I appreciate from all this that there has been a definite tendency in the direction of mechanization of various units, like the Light Artillery and the Cavalry, and I am wondering what the policy of the Appropriations Committee and of the Army is going to be. One can readily recognize that the Appropriations Committee, in its attitude on the matter of horses, can very well determine whether we are going to carry this principle of mechanization to such an extent that ultimately we are going to have very few horses, very few Cavalry units, and a very few horse-drawn Light Artillery units in the Army. It is quite in line with the discussion that is heard at the present time, which places great emphasis upon the fact that horses will ultimately

disappear from the Army. At one time I was rather intrigued with that idea, having served in the Light Artillery in France during the World War. It has been my pleasure and opportunity to be an officer in a Light Artillery battery. I know what it was to use horses that were so badly burned with chlorine and mustard gas that we could not use them. I have seen lead, swing, and wheel teams taken out into the mud in France and whipped until they broke tendons and fell down in the mud and had to be shot because they could not draw the caissons, the limbers, and the guns into position.

I came to the rather casual conclusion at that time that the horse was on the way to extinction in the Army. But I have some doubts about it now on further examination. In an address made by General Parker in 1930 to the Horse and Mule Association of America he said that the cavalry is, after all, here to stay, and gave some rather glowing examples from the experiences of the French Army during the World War. He also cited the expedition of General Allenby. He mentioned also the cavalry experiences in Macedonia, and then quoted from some of our military leaders. I would like to read into the Record at this time what General Pershing said about the cavalry now and in the future.

Gen. John J. Pershing said:

There is not in the world today an officer of distinction, recognized as an authority on military matters in a broad way, who does not declare with emphasis that cavalry is as important today as it ever was.

Marshal Foch said:

On the Western Front, cavalry especially participated in the defensive battles where they were engaged at the most difficult moments; here the large cavalry units, thanks to their own mobility, were able to intervene in time, and to bring the precious assistance of their fire to the weak points of the defense.

General Summerall said:

There has been a great deal of misinformation broadcast relative to the cavalry. It is a fact that cavalry is of far more importance than it ever has been.

Now, the particular question is, Has the committee, in conjunction with the War Department, determined upon some kind of a settled policy that will ultimately mean the extinction of horse-drawn vehicles and light artillery, and the reduction of the Cavalry to the so-called irreducible minimum? May I have an answer to that?

Mr. PARKS. I may state to the gentleman that we believe the number of Cavalry horses really has become standardized. About the only thing we are doing is to provide for replacing those that are getting too old or that may die. I think it is the policy of the War Department that we cannot entirely get along without cavalry. We must maintain about what we have now, both in the National Guard and in the Regular Army, which is about 25,000. We are appropriating this year, I think, about \$600,000. That simply will provide replacements.

Of course, the gentleman knows that if he ever talks to a Cavalry officer and tells him he wants to do away with horses entirely, he wants to be out of arm's length, because he just will not stand for it. [Laughter and applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. KNUTSON. Mr. Chairman, I move to strike out the last word. I would like to ask why we are spending so much for nonmilitary activities? There is an increase here of \$97,000,000.

Mr. PARKS. Mr. Chairman, may I say to the gentleman from Minnesota that when we reach title II of the bill, dealing with nonmilitary activities, we shall probably have a good deal of discussion. The matter referred to by the gentleman from Minnesota properly comes under the second title of the bill, and a lot of the money will be spent pretty close to Minnesota.

Mr. KNUTSON. I do not care where it goes to; I am interested in seeing it cut down to the lowest possible point.

Mr. PARKS. We have taken out \$29,000,000, and I hope the gentleman will support us.



Mr. KNUTSON. I may say to the gentleman from Arkansas that I do not care where the money is going to be expended; my interest is in seeing the expenditures kept down.

Mr. PARKS. Then I am sure we may count upon the gentleman's support.

Mr. FITZPATRICK. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. FITZPATRICK. All of these projects were authorized by Congress.

Mr. PARKS. All of the projects included in the bill have been authorized.

Mr. KNUTSON. That does not endow them with sanctity.

Mr. FITZPATRICK. The gentleman voted for them.

Mr. KNUTSON. How does the gentleman know? It is my recollection that I did not.

The Clerk read as follows:

#### SIGNAL CORPS

##### SIGNAL SERVICE OF THE ARMY

Telegraph and telephone systems; Purchase, equipment, operation, and repair of military telegraph, telephone, radio, cable, and signaling systems; signal equipment and stores, heliographs, signal lanterns, flags, and other necessary instruments; wind vanes, barometers, anemometers, thermometers, and other meteorological instruments; photographic and cinematographic work performed for the Army by the Signal Corps; motorcycles, motor-driven, and other vehicles for technical and official purposes in connection with the construction, operation, and maintenance of communication or signaling systems, and supplies for their operation and maintenance; professional and scientific books of reference, pamphlets, periodicals, newspapers, and maps for use of the Signal Corps and in the office of the Chief Signal Officer; telephone apparatus, including rental and payment for commercial, exchange, message, trunk-line, long-distance, and leased-line telephone service at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, excepting the local telephone service for the various bureaus of the War Department in the District of Columbia, and toll messages pertaining to the office of the Secretary of War; electric time service; the rental of commercial telegraph lines and equipment, and their operation at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, including payment for official individual telegraph messages transmitted over commercial lines; electrical installations and maintenance thereof at military posts, cantonments, camps, and stations of the Army, fire control, and direction apparatus, and material for Field Artillery; salaries of civilian employees, including those necessary as instructors at vocational schools; supplies, general repairs, reserve supplies, and other expenses connected with the collecting and transmitting of information for the Army by telegraph or otherwise; experimental investigation, research, purchase, and development, or improvements in apparatus, and maintenance of signal and accessories thereto, including patent rights and other rights thereto, including machines, instruments, and other equipment for laboratory and repair purposes; lease, alteration, and repair of such buildings required for storing or guarding Signal Corps supplies, equipment, and personnel when not otherwise provided for, including the land therefor, the introduction of water, electric light and power, sewerage, grading, roads and walks, and other equipment required, \$5,282,556.

Mr. McSWAIN. Mr. Chairman, I move to strike out the sign and figures at the end of the paragraph.

Mr. Chairman, the next section deals with the Air Corps, and I desire to be heard very briefly in the presentation of some general considerations in regard to this arm of national defense. I suppose the question of air power has been studied as much by the military authorities of this country, whether the operation has been military or civilian, as any other question. The views of the 14 or 15 different boards studying the question were finally concentrated in the conclusions of the Morrow Board, which filed its report in 1926, although it did its work largely in 1925. It was a very able board indeed. This Board finally fixed the ratio between Army and Navy air forces at 10 to 18, 10 for the Navy and 18 for the Army. Subsequently Congress authorized an increase of naval aircraft from 1,000 to 2,190, or practically 2,200, whereas the Army authorization still remains at 1,800. If the ratio were observed, then the Army would have now, today, an authorization of practically 4,000, because as 10 is to 18 so 22 is to 40, by the old rule of 3; and I want to announce that I have today dropped in the basket a bill that will authorize—if it becomes law, and I trust it will at this session—a total of 4,000 planes for the Army, carrying out

the ratio fixed by the Morrow Board. This bill, by the way, is word for word the bill drawn by the War Department for consideration of the Seventy-third Congress, except I have increased the number of planes to 4,000; otherwise it is identically the bill prepared by the War Department.

I want to impress this fact, if I may: That undoubtedly all who think seriously upon the question realize that the first line of defense is the air. We have become accustomed to talk about the Navy as the first line of defense. Before there was an airplane the Navy was indeed the first line of defense, but now it is the air; and it does not make any difference whether the aircraft is operating from a base on shore or the deck of a carrier, the first conflict, the first collision between hostile forces, will be in the air, and probably this first collision will be decisive for the reason that whoever gets control of the air, of the heights above us, will certainly control everything underneath, whether it be on water or on land.

The British Navy made a gesture that she was going to stop the Italian transports going through the canal to Ethiopia; but when the Italian Government announced that there were 125 pilots who had dedicated their lives to the defense of Italy, who said, "We will not be doing a little polite flying around trying to hit the ship below, but we will deliver our 2,000 or more pounds of explosives ourselves with the plane in which we ride"—when it was realized that they would give their lives to stop the concentration of British ships at the Suez Canal, the Mediterranean fleet scattered to the remote regions of that sea. This is the truth; and why should not 125 or 1,000 or 2,000 pilots give their lives in this way to save their country, rather than lose—as were lost in some engagements—10,000 infantrymen in a day, giving their lives for their country's cause?

[Here the gavel fell.]

By unanimous consent, the pro-forma amendment was withdrawn.

The Clerk read as follows:

#### AIR CORPS

##### AIR CORPS, ARMY

For creating, maintaining, and operating at established flying schools and balloon schools courses of instruction for officers, students, and enlisted men, including cost of equipment and supplies necessary for instruction, purchase of tools, equipment, materials, machines, textbooks, books of reference, scientific and professional papers, instruments, and materials for theoretical and practical instruction; for maintenance, repair, storage, and operation of airships, war balloons, and other aerial machines, including instruments, materials, gas plants, hangars, and repair shops, and appliances of every sort and description necessary for the operation, construction, or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith and the establishment of landing and take-off runways; for purchase of supplies for securing, developing, printing, and reproducing photographs in connection with aerial photography; improvement, equipment, maintenance, and operation of plants for testing and experimental work, and procuring and introducing water, electric light and power, gas, and sewerage, including maintenance, operation, and repair of such utilities at such plants; for the procurement of helium gas; for travel of officers of the Air Corps by air in connection with the administration of this appropriation, including the transportation of new aircraft from factory to first destination; salaries and wages of civilian employees as may be necessary; transportation of materials in connection with consolidation of Air Corps activities; experimental investigations and purchase and development of new types of airplanes, autogiros, and balloons, accessories thereto, and aviation engines, including plans, drawings, and specifications thereof, and the purchase of letters patent, applications for letters patent, and licenses under letters patent and applications for letters patent; for the purchase, manufacture, and construction of airplanes and balloons, including instruments and appliances of every sort and description necessary for the operation, construction (airplanes and balloons), or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith; for the marking of military airways where the purchase of land is not involved; for the purchase, manufacture, and issue of special clothing, wearing apparel, and similar equipment for aviation purposes; for all necessary expenses connected with the sale or disposal of surplus or obsolete aeronautical equipment, and the rental of buildings, and other facilities for the handling or storage of such equipment; for the services of not more than four consulting engineers at experimental stations of the Air Corps as the Secretary of War may deem necessary, at rates of pay to be fixed by him not to exceed \$50 a day for not exceeding 50 days each and necessary traveling expenses; purchase of special apparatus and appliances, repairs, and replacements of same used in connection with special scientific medical research in the Air Corps; for maintenance and oper-



ation of such Air Corps printing plants outside of the District of Columbia as may be authorized in accordance with law; for publications, station libraries, special furniture, supplies and equipment for offices, shops, and laboratories; for special services, including the salvaging of wrecked aircraft; for settlement of claims (not exceeding \$250 each) for damage to persons and private property resulting from the operation of aircraft at home and abroad when each claim is substantiated by a survey report of a board of officers appointed by the commanding officer of the nearest aviation post and approved by the Chief of Air Corps and the Secretary of War, \$59,397,714: *Provided*, That \$10,000 shall be transferred to and made available to the Bureau of Mines on July 1, 1936, for supplying helium; and not less than \$41,055,925 (including \$7,686,753 for the payment of obligations incurred under the contract authorization for these purposes carried in the War Department Appropriation Act for the fiscal year 1936), shall be expended for the production or purchase of new airplanes and their equipment and accessories, of which \$29,322,602 shall be available exclusively for combat airplanes, their equipment and accessories: *Provided further*, That in addition to the amounts herein provided for the procurement of new airplanes and for the procurement of equipment, spare parts, and accessories for airplanes, the Chief of the Air Corps, when authorized by the Secretary of War, may enter into contracts prior to July 1, 1937, for the procurement of new airplanes and for the procurement of equipment, spare parts, and accessories for airplanes (including radio and armament) to an amount not in excess of \$10,669,786, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof: *Provided further*, That no part of this or any other appropriation contained in this act shall be available for any expense incident to the use of Crissy Field, Calif., as an air station, or for any structural improvements or the installation of any new equipment not of a removable character at Chanute Field, Ill.: *Provided further*, That no available appropriation shall be used upon lighter-than-air craft, other than balloons, not in condition for safe operation on June 30, 1936, or that may become in such condition prior to July 1, 1937: *Provided further*, That the sum of \$30,000 of the appropriation for Air Corps, Army, fiscal year 1933, and the sum of \$450,000 of the appropriation for Air Corps, Army, fiscal year 1934, shall remain available until June 30, 1937, for the payment of obligations incurred under contracts executed prior to July 1, 1934.

Mr. MEAD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, it is not my purpose to present an amendment at this time, but I rise to call the attention of the Committee, and particularly the chairman of the subcommittee, the gentleman from Arkansas, and the chairman of the legislative committee, the gentleman from South Carolina, to a matter which I think is of vital importance to our national defense.

We are appropriating in the neighborhood of \$100,000,000 this year for aviation, both military and civil. If we increased this appropriation by \$500,000, we could give military training to a thousand additional pilots. This would give us as good and capable a corps of pilots as is to be found in any country on earth. In this bill we are appropriating \$59,397,000 for the Air Corps and its various activities; \$45,540,000 of this is for new planes. The Army now has 1,271 ships, 983 pilots, plus 244 of the Reserve Corps on active duty. Last year the Army flew nearly 46,000,000 miles.

For the Air Mail Transport Service we are appropriating \$12,000,000 in 1937. We receive back a revenue of approximately \$7,000,000 from this Service. We have 500 ships in domestic and foreign Air Mail Service and approximately 1,000 pilots. Our domestic ships last year flew more than 55,000,000 miles. That includes all the scheduled services in the country, both air mail and otherwise. Over 30,000,000 miles was scheduled air-mail mileage. This entailed a cost to the Government of only \$8,800,000. In 1935 the Army Air Corps cost the Government \$28,000,000. To this may be added the cost of the Naval Air Corps.

If we could arrange it so that pilots who fly the mail could leave their work for a month and be attached to the active Air Reserves with pay, those pilots would augment the military personnel we now have. They would increase the number 75 or 100 percent and would give us the very best personnel possible for aviation. Many of these men saw World War service. Many of them are graduates from Kelly Field. Many of them have aided in the development of equipment and instruments which have increased the efficiency and safety of flying both in and outside of the Army. Much of the development in aviation has taken place in civil aviation. The evidence left with our committee proves conclusively that these men would be very helpful in time of

war. Not only that, but the large modern passenger ships of today would be useful as bombing planes. The information furnished our committee by expert pilots is that the modern transport plane is suitable for bombing work and would require but little conversion. It is built along the same lines as the bomber. The passenger compartment could be utilized for carrying bombs and fuel for long-distance flying. Bomb racks could be built beneath the plane. The pilots on transport lines are accustomed to flying long distances, and particularly at night. It seems to me that we ought to establish a school for our air-mail pilots. We ought to train those men in the art of military flying, and we could do it with a minimum appropriation, adding another thousand pilots to the Army Air Corps and improving our national defense.

[Here the gavel fell.]

Mr. MEAD. Mr. Chairman, I ask unanimous consent to proceed for 1 minute.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DOBBINS. Will the gentleman yield?

Mr. MEAD. I yield to the gentleman from Illinois.

Mr. DOBBINS. Has the gentleman from New York made inquiry as to the adaptability of our transport planes for bombing purposes in time of war?

Mr. MEAD. Mr. Behncke, who is president of the Air Line Pilots' Association, and an air-line pilot as well as a war-time pilot, made this statement:

I have had Army service and am particularly familiar with the bombers. The type of ship used in transport work today would be the most natural to develop for military use, because the whole air line set-up fits into the bombing end of the picture—night flying, flying through all kinds of weather, flying on schedule, familiarity with radio; the pilots could reach their objective, regardless of obstacles.

Mr. Chairman, we are training our pilots to fly in all kinds of weather and in all zones. We have them in the arctic region. We have them in the tropics. We have them flying over the oceans and over our mountainous terrain. It seems to me we are depriving ourselves of a very valuable asset, and one that might prove as helpful as anything we are doing today in the matter of appropriating for the Air Corps, by not giving them some military training. We should establish a school and a reserve corps so that these men who fly in our domestic transport service could become part of the Army personnel.

[Here the gavel fell.]

Mr. DOBBINS. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. DOBBINS: On page 35, line 17, after the word "station", strike out "or the installation of any new equipment not of a removable character at Chanute Field, Ill."

Mr. DOBBINS. Mr. Chairman, I ask unanimous consent to proceed for 15 minutes upon this amendment.

Mr. PARKS. This is a matter in which the gentleman is particularly interested?

Mr. DOBBINS. Yes.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DOBBINS. Mr. Chairman, the matter upon which I propose to address you and to which the amendment I have offered relates is not a matter involved in any of the controversies that have taken place upon the floor of the House so far in the consideration of this bill. It is not a question which either increases or diminishes the amount of appropriations to be made for military activities in the ensuing year. It does, however, concern the national defense. It concerns the welfare of our Army—and when I say "our Army" I do not mean merely the officers of the Army. It concerns the welfare of the enlisted men of the Army, and, last but not least, it concerns the State of Illinois and the district I represent.

The words which would be stricken out of the bill, as proposed by the amendment, are those words which restrict



the expenditure of some \$10,000,000, or, rather, forbids the expenditure of any of that money at Chanute Field, Ill. Chanute Field, as a military flying post, was established during the World War and has been continued for the last 10 or 15 years as the site of the Air Corps Technical School. The amendment I have offered, if adopted, will strike out a clause that may well be held to prejudice the case of whether or not this school should be removed from its present location, a matter that has been under consideration and the subject of peculiarly varying opinion in the Army for several years.

The objections that may be made to the words which I would strike out by the amendment may be classified under three different headings. In the first place, the amendment is not necessary; in the second place, it is not wise; and in the third place, it seeks to prejudice a case that is now under consideration in the Committee on Military Affairs of this House with respect to a bill that has been offered, the purpose of which is to remove this school from its present location. I say it is not necessary, and I say that with the utmost sincerity. I can prove it in a very few words. This Congress appropriated for the improvement of that school some 3 or 4 years ago over \$1,000,000 for permanent improvements there. Although this was the will of the Congress thus expressed, the high hats of the Army did not carry out the will of the Congress and did not make the improvements they were directed to make by the appropriation.

They are opposed to this location. They are opposed to it—and I say this upon my own responsibility as a Member of this body—because they feel it does not offer enough in the way of social or recreational advantages. Perhaps there is not enough "wine, women, and song" at Chanute Field to suit some of the officers of the Army, and, therefore, they want to remove it to some place more attractive in the way of recreational and social features.

A few years ago they wanted to move this school to Dayton, Ohio. That was what they wanted to do when they would not spend the appropriation I mentioned. Now they come in with a report of an investigation made by three officers, and they say they do not want Dayton at all; it is regarded as wholly unsuitable. An even larger city is favored as a location for the school.

It is just as unnecessary to put this limitation in this bill so far as the War Department is concerned, in the light of our past experience, as it would be to pass a law prohibiting the American Liberty League from making a contribution to aid in the reelection of Franklin D. Roosevelt.

It would not do to prejudice this case. It would be just like granting a preliminary injunction without having any hearing upon it, and the hearings before the Appropriations Committee upon the subject were extremely brief. All they amounted to was a statement that a special board, appointed by the Air Corps, had recommended that this school be transferred and, therefore, the statement was reluctantly wrung from General Westover that because this special board had recommended it, therefore, the Army was back of it. Inquiry was made of him as to why it should not be transferred to some other established field, and the Wright Field at Dayton was mentioned. The reply was made that the same objection existed to Wright Field as existed to Chanute Field—that there is not an opportunity there for a large bombing area.

I may say, for the benefit of the gentleman from Ohio [Mr. BOLTON], a very respected member of your committee, upon this question, that they wanted to move this field when they did not think of any bombing field, and they wanted to move it to Dayton only last year. At Chanute Field, when they were making their so-called investigation, an inquiry was made of the chairman of the special board as to how much additional territory at that field the Army would need for a bombing field, and he said "one-half a square mile." That was his reply, and that was all of the investigation that was made at Rantoul as to the availability of a site. He was told that it could be easily procured adjoining the field, at a very moderate cost.

The expert at Chanute Field on the question of armament and bombing made a careful and thorough written statement, included in the report which was filed by the Yount board, which investigated this matter, and that statement is direct and positive in its assertion that an adequate field and a desirable field would be one about 5 by 9 miles in area, or a total of 45 square miles.

This statement and assertion the Yount report does not even mention; but they went to another location that attracted them, where out in the nearby wastes 100 square miles could be obtained, and so this board comes in upon the strength of that and says that nothing short of 100 miles would be suitable for a bombing area. It is the same old story of framing your specifications to include only what you desire to purchase.

This field ought not to be moved. All this is a ground school. Why, Colonel Yount, the man who brought in the report, was asked by members of our Military Affairs Committee how much time was devoted only to ground instruction at the school, and he said he did not know. He was then asked if it was as much as 75 percent, and he said he did not know. He was asked if it was as much as 90 percent, and he said he did not know. Yet, in the data he brought back to the Secretary of War, which he claimed he had carefully reviewed, and which is now before this Congress, is the clear and explicit information that less than 1 percent of the instruction at this Air Corps Technical School is conducted in the air.

The board advances the baseless argument that the climate is not right at Rantoul, Ill., for flying, and they say only 25 percent of the flying instructions could be carried out because of climatic conditions. This we would naturally understand as meaning that 75 percent of the time out there in Illinois you cannot fly because of bad weather. Well, that is simply not true; that is all there is to that. If anyone feels he should not take my word for it, then take the word and the experience of the air transport companies. Four of the great air-mail lines of this country pass on four sides of Chanute Field, and a report of the fine record they made in maintaining their established flight schedules in 1935 was made available to every Member of this Congress, in statistical table no. 44, appended to the 1935 Annual Report of the Postmaster General. These four lines, the United Air Lines, Transcontinental & Western Air, the Chicago & Southern, and the North American Aviation, running from New York to San Francisco, from New York to Los Angeles via Indianapolis and St. Louis, from Chicago to New Orleans, and from Chicago to Miami, pass on the four sides of this field within an average distance of less than 75 miles, and in 1935 they completed 94.27 percent of their flying schedules.

Now, are you going to act upon unreliable information and statistics of the character the Yount Board puts out as facts and substitute for our deliberative authority here as Members of Congress in a legislative question of this kind, the so-called expert opinion of any such board as that?

How did they arrive at their absurd conclusion that only 25 percent of the flying instruction could be carried out at Chanute Field on account of climatic conditions? Simply by distorting the evidence upon the question. When you go back to the typewritten reports constituting the evidence that they brought in upon this question you will find a statement by an instructor at the school which says, after outlining what is desirable in the way of flying instructions, that as a matter of fact only 25 percent of such instruction could be carried out because of three specifically enumerated factors, namely, climatic conditions, want of personnel, and want of ships. If they had the most ideal weather in the world, because of these last two controlling factors they could not have carried out more than 25 percent of their flying missions. Yet in an effort to besmirch this location and to move some of their fellow officers, who are the only ones discontented, to some more attractive location, they come in here and willfully misquote and distort the evidence.

Mr. Chairman, I could go through the evidence they brought here and point out page after page of the same kind of testimony—15 or more instances of unsupported or



grossly distorted prejudicial statements upon the question. We should not act upon important matters of this kind on that character of advice.

Why, the enlisted men and the students at the school are contented. They like it; but here come the officers before a board and say, "We are not concerned about ourselves; we can go out and find what we want, but we are interested in the morale of the enlisted men, and for their sake we want to move this field to another location where recreational opportunities are more plentiful than they are in this little town", which by the way, is within 15 miles of the site of the University of Illinois, within 15 miles by a broad, hard-surfaced road, with good railroad and bus connections, an enlightened community of 40,000 people, and with a student and instructional personnel increasing that number to 50,000; and the town of Rantoul immediately adjoining the field where this school is located is a town of 1,500 or 2,000 inhabitants. But when you read the evidence transcribed and brought here from Chanute Field by the three members of this board who are so deeply concerned about how the enlisted man shall enjoy himself, you will find hundreds of pages of testimony by the officers at this post and not one single line by any enlisted man or any student there.

Now, the same report they bring before you shows that the fatal accidents in military aviation have decreased some 25 percent from what they were the year before.

My colleagues, I am going to ask you to vote for this amendment and that you do not prejudice this case in its pending consideration by the Military Affairs Committee of the House.

That special board, in its report, tells how awfully hot it is at Chanute Field, saying the thermometer goes above 90° 60 days in a year. It happens that nearly all my life I have lived within 15 miles of Rantoul and I never knew any such weather. I looked into it and learned that the average yearly number of such days is much less than half of that—only 23 days a year, in fact—and the highest number in any year was 44.

Oh, they say it was an unintentional mistake. They have 15 such "unintentional" mistakes. They said they did not know that the Signal Corps collected and preserved this climatic record at Chanute Field, so they went to some distant Weather Bureau station for it. Besides they said the readings of the thermometer at Chanute Field were made by privates, and implied that these readings of the temperature were not trustworthy because they were made by mere privates in the Army. Let me say, in passing, that no one can get into that technical school unless he is a high-school graduate, and that there is a waiting list of bright, hopeful applicants numbering over a thousand.

Do they not know that the readings of the Weather Bureau are made by men, some of whom get only from \$5 to \$10 a month? My opinion is that privates in the Army can be trusted to make thermometer readings just as well as the observers of the Weather Bureau.

This field is located in the right place now.

Mr. POWERS. Mr. Chairman, will the gentleman yield?

Mr. DOBBINS. Yes.

Mr. POWERS. Has the gentleman any record of the number of flying days per year at Chanute Field or the vicinity of the field?

Mr. DOBBINS. I have a record of the number of days when the weather has been unfit for flying, the number of days when it has been cloudy, and the number of days when it has been partly cloudy, as compared with the proposed location.

Mr. POWERS. Where is the proposed location?

Mr. DOBBINS. I have not mentioned it, and I do not care to be drawn into any issue as between one location and another. I would rather have it determined upon the question of whether the existing site is a suitable one.

Mr. POWERS. I wish the gentleman would put into the Record the number of flying days per year available at Chanute Field over the past 10-year period.

Mr. DOBBINS. I am willing to take the figures on these matters which are susceptible of reduction to absolute and exact calculation, but I do not intend to take figures which

embrace any conclusion on the part of these officers as to what is suitable or as to what is not suitable, because I have shown you what sort of conclusions they reach in the matter and how they distort the figures.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. DOBBINS. Mr. Chairman, I ask unanimous consent to proceed for 5 minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DOBBINS. Mr. Chairman, there is just one other thing that I want to say with reference to this matter. I am not going into all of the controversies upon where the field ought to be or where it may be, but I will say that there was submitted to the Secretary of War by the Yount Board, and by the Secretary transmitted to the Military Affairs Committee, a prospectus of a favored location for this field near a city of some three or four hundred thousand inhabitants. The prospectus was gotten out by the chamber of commerce of that city and showed alluring pictures of the attractions of that area. I well remember one picture shown, which attracted my attention when I first saw it 25 or 30 years ago. It was a picture of two beautiful young ladies sitting on a log by a lakeside. I went out to this location some 25 or 30 years ago, attracted by the same sort of alluring pictures. I think I then saw the log where the ladies had been photographed many years before, but they were gone.

Perhaps the officers of our Army may show a disposition to fall for that sort of thing, but the men at that fine school are more concerned with what they go there to learn. More than three-quarters of the students—nearly four-fifths of them at that location—come from States in the longitude of Chanute Field or east of there; and yet it is proposed to move the school a thousand miles to the West. These young men pay their own way to the school, and in minimizing the importance of locating the school near the center of the area of enlistment the Yount report comes back with this: "Well, they pay their own way to the school, so it does not make much difference. These students pay for their own transportation wherever they go." There are five or six hundred students at that school, and in times when it operates to full capacity there are a thousand. It means something to these young men who are interested in mechanics, who go there for the purpose of studying and perfecting their mechanical skill, how far they have to pay their own way to go to school. The quartermaster supply point for this field is in Chicago, within 110 miles of the present location of the field, and supplies would continue to have to be shipped from there a thousand miles farther west if it were moved to a location that far away. Colonel Yount was unable to inform your committee what the annual increase in this item of expense would be in the event of the school's removal. Evidently he had given this important question no thought at all.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. DOBBINS. Yes.

Mr. MAY. According to the testimony before our committee, it was shown that at least 90 percent of the activities of these students were in mechanical matters on the ground, and only 10 percent in flying.

Mr. DOBBINS. That was the testimony. He would not say it was as little as 10 percent, or even less than 25 percent. As a matter of fact, the testimony before his board, submitted to the Secretary of War, and which was laid before your committee, shows that in a 24-week course there are exactly 10 hours of flying instruction, which means less than 1 percent. Grudgingly the colonel admitted that it might be as little as 10 percent, when, as a matter of fact, it was only 1 percent. He came within one-tenth of the truth on that matter; but as to the amount of land required for a machine-gun range and bombing area, he missed his own subsequent dictum 99½ percent. He told the committee at Chanute Field that half a square mile was all that was needed for that. I do not see how any officer connected with the air force of any army could imagine half a square mile would be enough for a machine-gun range and bombing area. That is the sort



of superficial investigation that supports the request that Congress move this field 1,000 miles away, to a place where we can raise a lot of he-men to be mollicoddles instead of the army of fighting men that we want to uphold our national defense.

In conclusion I say with all of the conviction that comes from a long and earnest study of this question, that this school should be located where we have the average conditions under which our future wars are likely to be fought, and as nearly as that can be forecast under the limitations of human foresight, it is in that location now. [Applause.]

Mr. PARKS. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. PARKS. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. PARKS. Mr. Chairman, I do not want to take 10 minutes' time. The gentleman from Illinois is laboring under a misapprehension. I appreciate his feeling about this matter and that is why I was glad that he might have the extra time. The language in this appropriation bill does not abolish this field, it really does not affect his field in any way whatever. He may just as well make up his mind to the fact that the struggle for years and years to get rid of Chanute Field is sooner or later going to come to a head.

All in the world this bill provides for is that none of this money shall be spent for permanent improvements. If that language were not in there, they could go out and spend large sums upon improvements of a permanent character. The housing at that field, I have been advised, is about ready to fall down. I dare say there is not a building on it but what should be removed and rebuilt, if you are going to stay there. A bill has passed the Senate which provides for establishing another field in place of this field out in Colorado. I was not enthusiastic about that.

I thought I had in mind a place that was much better suited for a technical training field than was Chanute Field or any other place in the United States. A board was appointed. Of course, the board went out and visited Chanute Field. Then they went out and visited other fields, including the place I had in mind, and when I discussed with them my ideal location they said to me, "Why, they cannot see to fly out there", and this, that, and the other, and they finally convinced me I was wrong. Then I said, "Why do you want to leave Chanute Field? Why not rebuild?" The board said they had gone into that matter time and time again, and they thought it would be a very unwise thing to continue this field at Chanute.

Of course, as far as this bill is concerned, it does not make any great difference whether the language stays in or goes out, but without this language they would be free to expend money on projects of a permanent character.

Mr. DOBBINS. Will the gentleman yield?

Mr. PARKS. I yield.

Mr. DOBBINS. Why does the gentleman fear the Army would put permanent improvements there when they are not directed to do it by the Congress, when they failed to do it after we provided for those improvements?

Mr. PARKS. I do not know whether they would or not. With this legislation pending I am confident they would not. Our limitation is merely a precautionary measure. They are not precluded under the bill we have presented from maintaining the existing buildings at Chanute Field until they could make ready for the activity out at Denver.

I am not going to discuss the question of the advisability of going to Denver. I am not going to tell you they have offered a tract 10 miles square for a bombing field there without cost to the Government. That is a matter at this stage without the province of this committee. However, there is today pending before the Committee on Military Affairs, a legislative committee of this House, this bill which

was passed by the Senate, that provides for removing the Air Corps activities at Chanute Field out to a new site at Denver. The gentleman from Illinois [Mr. DOBBINS] is unnecessarily exorcised about the language in this bill. It does not do anything in the world to you except forbid you putting permanent improvements there until the bill which passed the Senate has either been killed or passed.

Mr. McSWAIN. It is going to be decided one way or the other a week from today. It has already been set.

Mr. PARKS. I am glad to hear that.

Mr. DOBBINS. Is the chairman of the subcommittee on War Department appropriations afraid that the War Department will change its mind and spend in the next week an appropriation that does not become available until July 1 next?

Mr. PARKS. Not at all; but this bill will either be passed or killed. The speech which the gentleman from Illinois made will be the kind of a speech to make when that bill comes here from the Committee on Military Affairs. All we are doing is to provide that whatever may happen, you cannot take a dollar of this money and put it into permanent improvements. Who should object to that? If you succeed in defeating that bill, then the War Department can come back within the next year for funds if they have to rebuild this field.

Mr. DOBBINS. Suppose we do succeed in defeating that bill, and I think we shall, here is a permanent appropriation bill making appropriation for the next year, forbidding the War Department to spend any of this money for the very location that this House may approve next week.

Mr. PARKS. Let me say to the gentleman I hope he does not misunderstand me. I hope he does not think I am against Chanute Field. I do not know anything about it, whether it should be maintained there or not, except as revealed by the testimony that comes to us from this Board. If this bill is not passed, they will have to do something about the matter. You will either have to move those men away from there or give them a safe place in which to work and to live.

Mr. JOHNSON of Oklahoma. Will the gentleman yield?

Mr. PARKS. I yield.

Mr. JOHNSON of Oklahoma. I should like to inquire of the chairman that if the pending amendment proposing to eliminate the language to which the gentleman from Illinois objects is defeated, and then the Military Affairs Committee comes in a week from today and decides that Chanute Field is the proper place for a field, just what position would this House be in, having voted that no permanent buildings may be constructed at the point where the committee may say there shall be a permanent field?

Mr. PARKS. Some provision will have to be made to take care of the matter in that event.

Mr. BOLTON. Will the gentleman yield?

Mr. PARKS. I yield.

Mr. BOLTON. Does the gentleman from Oklahoma know how much is involved in this item?

Mr. JOHNSON of Oklahoma. Yes; I think so.

Mr. BOLTON. How much is involved?

Mr. JOHNSON of Oklahoma. I understand about \$10,000,000 might be involved.

Mr. BOLTON. There are only \$95,000 included for all improvements at Chanute Field.

Mr. JOHNSON of Oklahoma. I think the gentleman is mistaken, but regardless of the amount involved that is begging the question. No such language, in my judgment, should be placed in a bill that will have the effect of prejudging the issue that a committee of this House is going to decide, so the chairman announces, 1 week from today.

Mr. DOBBINS. Will the gentleman yield?

Mr. PARKS. I yield.

Mr. DOBBINS. Let me correct the gentleman from Ohio [Mr. BOLTON]. The last preceding figure used in this appropriation is over \$10,000,000, line 12, page 35.

Mr. BOLTON. Exactly, but if the gentleman will read General Westover's testimony on page 362 of the hearings he will find that the only item, specifically stated, for Chanute Field is \$96,000.



Mr. DOBBINS. But the limitation sought to be placed is over the entire \$10,000,000.

Mr. BOLTON. But not for Chanute Field.

Mr. WOODRUM. Will the gentleman yield?

Mr. PARKS. I yield.

Mr. WOODRUM. They could even spend a portion of that \$95,000 under the bill as reported, because it applies only to permanent improvements?

Mr. PARKS. Yes. They could spend it all.

Mr. WOODRUM. Mr. Chairman, will the gentleman yield further?

Mr. PARKS. Certainly.

Mr. WOODRUM. Is it not true that the question of policy as to whether or not this field shall be continued is not in any way involved in this bill?

Mr. PARKS. Not a bit in the world.

Mr. WOODRUM. But the fact is that a board of engineers of the War Department after mature consideration has reported to the Congress that the field should be abandoned and reestablished at Denver.

Mr. PARKS. Yes.

Mr. WOODRUM. Not only reported that, but a bill has been introduced in and passed by another body to this effect.

Mr. PARKS. That is right.

Mr. WOODRUM. The Appropriations Committee, it seems to me, using good judgment certainly in this instance, has merely provided that under these circumstances the matter having gone thus far and there having been such an emphatic statement of policy in reference to this field, that during this period no permanent improvements shall be made.

Mr. PARKS. That is all it says.

Mr. WOODRUM. Now, the gentleman from Illinois, our distinguished, beloved, able friend from Illinois—and all of us sympathize with him in his splendid efforts for his district—asked the question, "What is going to happen if the Military Affairs Committee should bring in a bill continuing this field?" Not meaning to comment on our dear friend's optimism, if this should happen Congress is not going to adjourn overnight. There are other appropriation bills to be passed and there will be at least two more deficiency bills in which any permanent improvements that ought to be made can be taken care of. But certainly, with legislation having passed one body of the Congress, as it has, the Appropriations Committee does not feel that permanent improvements ought to be made there now.

Mr. PARKS. That is the only question. I want to assure the gentleman from Illinois that if the Congress should refuse to pass that bill he will not find me on that committee opposing the reestablishment of Chanute Field. It ought to be rebuilt or it ought to be moved.

Mr. DOBBINS. It ought to be rebuilt; that is what ought to be done.

Mr. PARKS. The gentleman is right about it if it is to be retained.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. PARKS. I yield.

Mr. MAY. Suppose the bill passed without this amendment; does the gentleman think that the War Department would spend any money on the field, especially if the House should report out a bill to eliminate the field?

Mr. PARKS. My distinguished friend here is so able and seductive I do not know what he would be able to have them do if that bill did not pass; but I want to assure him now, speaking for the committee, that we are not against Chanute Field if they decide to continue it. We know how important the activity carried on there is.

Mr. DOBBINS. Mr. Chairman, will the gentleman yield?

Mr. PARKS. Certainly.

Mr. DOBBINS. The gentleman from Virginia knows, I think, that I agree with a part of his statement—that part in which he said Congress is not going to adjourn overnight and that we can pass whatever law may be necessary on this subject. The appropriation provided in this bill will not become available until July 1, 1936. Congress certainly will

be in session a good part of the time between now and then. As the gentleman from Virginia has very well suggested, there is ample time in which to pass stop-gap legislation; but regardless of the opinion of the gentleman from Arkansas, unquestionably, if this Congress passes this bill with this restriction in it, it is going to be used by the Army as an expression of this Congress against the present location of the field, which has not even been considered by the House.

Mr. PARKS. I do not feel that the gentleman is right in that conclusion.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment of the gentleman from Illinois.

The amendment was agreed to.

Mr. ROGERS of New Hampshire. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of New Hampshire: Amend title I by striking out on line 18, page 34, "\$59,397,714" and inserting in lieu thereof "\$72,397,714"; and on line 21, page 34, strike out "\$41,055,925" and insert in lieu thereof "\$52,055,925"; and on line 2, page 35, strike out "\$29,332,602" and insert in lieu thereof "\$40,322,602."

Mr. ROGERS of New Hampshire. Mr. Chairman, the purpose in offering this amendment is to enable the Members, as true friends of national defense in this country, to make the Army Air Corps a potent factor in the military branch of our service. As it is today the Army Air Corps is in a deplorable condition.

My first knowledge of military aviation came as a result of my interest because my brother was in the military aviation service during the World War. As a Member of the Sixty-eighth Congress I was a member of the Lambert committee, and I found military aviation in this country to be in an awful condition. During the last three sessions of Congress I have had the honor to be chairman of the subcommittee on aviation of the Committee on Military Affairs. I still say, and I challenge any man in this House from any district or any State in the Union to deny it, that instead of going ahead as provided by the Air Corps Act of 1926 we have gone backward. This is shown in the testimony given before the Appropriations Committee last month by Assistant Secretary of War Woodring. He said:

The figures furnished my office indicate that the Army Air Corps will have approximately 777 airplanes in its possession July 1, 1936.

We get 565 under the bill now under consideration.

Mr. Woodring continues—

A continuation of an appropriation of the above size will never permit the Army Air Corps to reach this desired strength, as it will only take care of approximate yearly losses.

We now have six or seven hundred planes fit for military use. This includes combat, pursuit, and bombardment planes. England has five to six thousand, Germany a program calling for 7,000 to 10,000, and our own Howell Commission and Baker Board recommended 2,320. How can we still go along with six or seven hundred airplanes to defend this Nation?

Mr. Chairman, this may seem like a substantial item, but I ask the Members of the House to take a step in the right direction. The honorable chairman of our full committee, Mr. McSWAIN, has said he hoped to get 3,000 planes in the Army Air Service. We cannot get 3,000 at this time, but the figure which I have in my amendment will provide, according to the best estimates from the Military Establishment, 135 additional planes; so that we will be able to say we have finally started on the right road to make a most potent change in our national defense. We may then go back home to our constituents and tell them that we are at least doing all in our power not only to maintain an adequate Army and Navy but to get to the height fixed by the Baker Board and Howell Commission. This will give us a few more planes from year to year instead of having only enough to fill the item of loss every year.

Mr. WOODRUM. Will the gentleman yield?



Mr. ROGERS of New Hampshire. I yield to the gentleman from Virginia.

Mr. WOODRUM. I am very sympathetic with the gentleman's interest in improving the aviation facilities of our Army and Navy, but I would like to call his attention to a statement put in the RECORD yesterday by the chairman of the subcommittee, and if the figures are correct, it seems to me they are significant. He put in the RECORD the fact that since July 1, 1933, 1,184 planes have been authorized; yet 752 of those planes are still undelivered. Some of the planes for which we appropriated money in 1933 are still undelivered. Now, you cannot go downtown and buy an airplane in a store like you would a package of cigarettes. May I say to the gentleman that if we make reasonable and conservative progress in providing these planes, as the President of the United States has asked us to do, we are moving along in the right direction.

Mr. ROGERS of New Hampshire. May I say to the gentleman that I have gone through this report from beginning to end? I prefer to take the testimony of the Chief of the Air Corps, Major General Westover, and the testimony of The Assistant Secretary of War, Mr. Woodring. They say that we only have 777 planes. Those are the exact words of Mr. Woodring. They get 565 planes under this bill, and if we continue under this plan we will be taking care of only our yearly losses. Let us go ahead in the right direction.

[Here the gavel fell.]

Mr. WILCOX. Mr. Chairman, I ask unanimous consent that the gentleman be given 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. WILCOX. Will the gentleman yield?

Mr. ROGERS of New Hampshire. I yield to the gentleman from Florida.

Mr. WILCOX. In line with the question asked by the gentleman from Virginia [Mr. WOODRUM] and the information given by him as to the speed with which planes may be delivered, may I ask the gentleman from New Hampshire if that is not an additional reason why this appropriation should be increased, so that the program may be speeded up? In this connection may I call the gentleman's attention to the testimony of General Westover which appears on page 295 of the hearings, in which he sets out the fact that in the past 5 years 1,371 airplanes have been delivered to the Army, while during that same time we have lost 1,621 by obsolescence or through wash-outs, leaving us with a net loss of 250 planes over those purchased by the Army in the last 5 years.

Mr. ROGERS of New Hampshire. May I add for the gentleman's information that General Westover also stated in this hearing, which cannot be denied, that the net result of these factors will leave the Air Corps on June 30, 1937, with an estimated number of 779 project planes, and 529 planes which will be classed as absolutely obsolete on account of having passed the 5-year age limit.

Mr. ZIONCHECK. Will the gentleman yield?

Mr. ROGERS of New Hampshire. I yield to the gentleman from Washington.

Mr. ZIONCHECK. Will the gentleman tell me about the two project planes that are contemplated in this bill, each one to cost the Government of the United States \$569,000?

Mr. ROGERS of New Hampshire. I did not get the gentleman's question.

Mr. ZIONCHECK. What are those planes to be used for? What kind of planes are they? They are to cost the Government \$569,000 each.

Mr. ROGERS of New Hampshire. The planes which I am asking for in my amendment, and which I understand we will get thereby, are pursuit, bombardment, and attack planes, which are the planes we need to defend this country.

Mr. ZIONCHECK. Then with respect to the bombardment planes, do they not cost on the average about \$107,000 apiece?

Mr. ROGERS of New Hampshire. They change a great deal and the price varies from year to year.

Mr. ZIONCHECK. But they cost approximately \$100,000.

Mr. ROGERS of New Hampshire. I cannot give the gentleman the exact figures on that.

Mr. ZIONCHECK. And whom do they plan to bomb with them?

Mr. ROGERS of New Hampshire. We plan to bomb anybody who attacks us, who ought to be bombed.

Mr. ZIONCHECK. That is fine, if they attack us.

Mr. McSWAIN. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of New Hampshire. I yield.

Mr. McSWAIN. With respect to the expensive plane to which the gentleman from Washington refers, there is only one such plane made by the Boeing Co., of Seattle, Wash., and with respect to the others, there are 18 on order, costing something like \$100,000.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of New Hampshire. I yield.

Mr. MAY. As I recall the evidence before our committee, according to the program of construction which we have had since the National Defense Act of 1920, we are losing by obsolescence faster all the time than we are gaining, and we are now 8 years behind with our construction program.

Mr. ROGERS of New Hampshire. That is the fact, and let me call attention to the table, given to the Committee on Appropriations by Mr. Woodring, as to the number of airplanes on order or obtained from 1930 to 1935, inclusive:

1930.....	555
1931.....	364
1932.....	285
1933.....	118
1934.....	222
1935.....	401

Compare this with the figures estimated by the Howell commission and Baker board.

Mr. REILLY. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of New Hampshire. I yield.

Mr. REILLY. What is the reason for the delay in delivering planes already on order?

Mr. ROGERS of New Hampshire. For one thing we have only recently reached the point where we are ordering them in sufficient number for them to be produced in quantity production under competitive bidding as fast as they should be produced. This situation is fully explained in two letters from the Secretary of War to the chairman of my committee which read as follows:

WAR DEPARTMENT,  
Washington, January 13, 1936.

Hon. JOHN J. McSWAIN,  
Chairman, Committee on Military Affairs,  
House of Representatives.

DEAR MR. McSWAIN: Aware of the keen and continued interest of yourself and your committee in the matter of procurement of aircraft for the Army Air Corps, I wish to take this opportunity of further elaborating upon my letter of August 15, 1935, to you and of presenting such additional significant facts as have occurred since that time. You will recall that the War Department has consistently maintained that the present policy of procurement by competitive bidding, which policy I interpret as the underlying purpose and principle of the act of July 2, 1926, would have to be in operation at least 2 years before a final conclusion could be reached as to its efficacy. With approximately 18 months behind us and with the accomplishment of certain results, which are set forth below, I feel all the more certain that the procurement policy as now operated will more than justify the enthusiasm which has been had for it by its sponsors.

Since the present policy was put into effect the War Department has contracted for and now has on order a total of 685 airplanes. The first contract of this group was let on June 28, 1934, and to date 10 airplanes have been delivered thereunder. In addition, the first airplane under each of several of the other contracts has been delivered and accepted. Inasmuch as this delivery may at first glance seem small, I wish to emphasize here that the major problems creating delay in the delivery of aircraft arise in connection with the test and acceptance of the first airplane under the contract, and that thereafter the delivery of the remaining planes is accomplished at a very much accelerated rate. This is significantly borne out by the fact that deliveries of aircraft under the aforementioned contracts will total more than 500 during the year 1936, commencing at the rate of approximately 20 for the month of January and increasing progressively each month thereafter.

I am going into the matter of the time factor in some detail because one of the chief criticisms against the War Department has been the length of time between the inception of an airplane design and the delivery of airplanes of this design in quantity to the tactical units in the field. Since the present procedure has been put into effect, constant efforts have been made to reduce this elapsed period. One step taken is to issue circular proposals to the



trade sufficiently far in advance of the availability of funds to permit the awarding of contracts almost immediately after appropriated funds become available to the Department. For example, circular proposals have already been issued to the trade covering 1937 requirements. Another step taken is the submitting of the airplane of the successful bidder to an "accelerated service test" for a period of 90 days, which procedure will reduce to a minimum the necessity of change orders with the delays incident thereto. I am pleased to be able to inform you that under the new policy of competitive bidding and the subsequent improvements which have been made therein, quantity deliveries of aircraft are now being made for tactical use within something less than 2 years of the date of advertising. For example, the circular proposal for attack airplanes was issued on May 28, 1934, and delivery of 6 airplanes has already been made, with delivery of approximately 40 more due by May 1936. Such a rate of delivery compares most favorably with that of foreign powers on which such information is available.

Another objection which the opponents of the present procurement policy offered against its adoption was the fear that procurement by competition would lessen the sources of supply, whereas the War Department contended that the opposite results would be obtained. I commented upon this matter, and the favorable results which had been obtained, in my letter of August 15, 1935. I wish to inform you that the results of the bidding during this past fall substantiate the contention that sources of supply will increase rather than decrease as a result of the opportunity offered to all bona-fide manufacturers to compete for the War Department business. Furthermore, I feel that the stimulation of a creative interest in engineering and development places industry in a better position to meet the needs of the Army Air Corps in case an emergency should arise.

I wish to further reassure you with regard to the performance of the aircraft which are now being procured. Improvements in performances are extremely gratifying and in some instances far beyond even those hoped for. As an example, I think I can assure you that the very near future will see the single-seat pursuit airplane with a top speed of over 300 miles per hour, with proportionate improvements in the other types of airplanes with which the Army Air Corps is equipped.

Another matter in which you and your committee are particularly interested is that of design competition. I alluded to this in my letter of August 15, 1935, but at that time I had no definite information to furnish you. I now wish to advise that in two instances the design submitted was sufficiently advanced to warrant an award and a contract with the winners, and as a result the Wedell-Williams Air Service Corporation, Patterson, La., is manufacturing a single-place pursuit airplane, and the North American Aviation, Inc., Baltimore, Md., is manufacturing a three-place observation plane for the Army Air Corps. The War Department expects to continue the holding of periodic design competitions and has hopes that they will not only result in advances in design and engineering but will serve to produce additional sources of supply for military airplanes in the future.

Sincerely yours,

GEO. H. DERN, *Secretary of War.*

WAR DEPARTMENT,  
Washington, August 15, 1935.

HON. J. J. McSWAIN,  
*Chairman, Committee on Military Affairs,  
House of Representatives.*

DEAR MR. McSWAIN: At the time of the adoption of the present War Department policy for the procurement of aircraft, the Assistant Secretary of War took the position that the policy would have to be in operation at least 2 years before sufficiently definite results could be obtained to render final judgment upon its efficacy. Although this policy has been in effect only 1 year, I feel that sufficient progress has been made to warrant a report to your committee at this time, and I am, therefore, setting forth below the results obtained to date, and my opinion of what may reasonably be expected in the future.

Briefly, the policy calls for the placing of contracts for quantity procurement of airplanes as a result of competitive bids submitted by the industry. Advertisements submitted to the trade are on a performance-specification basis and require each competing manufacturer to submit with his bid a sample airplane complete and ready to fly. A period of from 8 to 12 months is allowed between the issuance of the advertisements and the opening of the bids to give the manufacturers adequate time in which to design, construct, and submit the sample airplanes for test. Award is made on the basis of a predetermined method of evaluation, of which the bidders are made cognizant in the advertisement. This evaluation places a premium upon improvement in performance and award thereunder is made to the highest evaluated airplane, thereby assuring the Government obtaining the finest available aircraft. The advertisement further contains certain minimum-performance requirements which are based upon the maximum performance of the finest known airplane at the time of issuance of the particular advertisement, and provides that no consideration will be given to any airplane that does not at least come up to these requirements.

This policy gives full rein to the inventive genius and engineering ability of the manufacturer and permits the incorporation in the samples to be submitted of all worth-while developments practically up to the actual date of opening. For example, a certain manufacturer arrived at Dayton, Ohio, with the airplane which he proposes to submit on a particular proposal about a month prior to the date of opening of bids. After arrival at Dayton he appar-

ently decided that the plane could be additionally improved, and consequently has had a crew working upon it consistently since its arrival. If advertising had been based upon detailed specifications and drawings, with no incentive for turning out the finest possible type of airplane, it is fair to assume that proposals would have been received offering airplanes meeting only these detailed specifications and drawings, and not including therein the engineering developments which have taken place since their issuance many months before.

The making of awards under this system on the basis of a tested article, rather than on a "paper promise to perform", has an additional marked advantage. It enables the War Department to make contracts for quantity procurement with the knowledge that the manufacturer has actually demonstrated his ability to construct the finest available type of airplane, thereby eliminating the service test of an article, which would be necessary if samples were not required. This factor alone reduces by at least a year the elapsed time between the inception of a design and delivery of airplanes in quantity to troops in the field, and eliminates to a great extent past criticism to the effect that airplanes are becoming obsolescent by the time they reach the hands of tactical organizations.

The War Department is gratified at the response of the industry to the new procurement policy. On standard equipment, competition has been keen and has resulted in a great deal of engineering work on the part of manufacturers. It is fair to say that progress in the art has been materially advanced, moving ahead according to the belief of some people intimately connected with the industry as much as 3 to 5 years. Furthermore, manufacturers are offering airplanes whose performance exceeds expectations. For instance, a basic training airplane now in service has a top speed of about 125 miles per hour, while the basic trainers contracted for under the present system have a top speed of over 200 miles per hour. It appears reasonable to assume that no such advance would have been made at one stroke without the incentive of competition and the assurance that award would be made to the manufacturer offering the most advanced airplane.

When the present policy was originally adopted it was felt in some quarters that it would result in reducing the available sources of supply for the different types of airplanes. It was the opinion of the War Department that a competitive policy of procurement would give the opposite results and I am gratified to be able to state that such is apparently the case. For example, six manufacturers offered basic training airplanes in the last competition while four manufacturers entered observation airplanes. I am informed that three manufacturers will offer bombardment airplanes in that competition, bids on which are to be opened the 22d of this month. Reliable press reports indicate that each of these three companies has built and has ready for test a bombardment airplane which will far exceed the performance of any bombardment plane now known, with speeds ranging over 200 miles per hour, cruising range exceeding 3,000 miles and with greater useful loads than have heretofore been thought possible. Press reports further indicate that the Glenn L. Martin Co., which is now manufacturing a quantity of bombers for the Army, is offering a newly designed airplane in the competition under discussion. It is fair to assume that had procurement continued along the lines previously followed this company probably would have offered for this year's consideration the present type of Martin bomber with certain refinements and improvements rather than an airplane of completely new design and development.

In addition to quantity procurement competitions, the War Department is holding design competitions on many types of aircraft. These competitions were opened May 6, 1935, and resulted in 17 manufacturers entering the competition for pursuit airplanes and an average of 3 manufacturers in each of the other competitions. The necessity of giving preference to the work involving contracts for quantity procurement because of present shortage of airplanes in the Army and the amount of detail work necessary to evaluate the design competition have precluded any final determinations to date. It is expected to announce the winners of the design competitions at an early date, and it is hoped that the designs submitted will be sufficiently advanced to warrant the manufacture of experimental airplanes in accordance therewith.

I regret that the present procurement policy has not been in effect sufficiently long to enable me to furnish your committee more concrete information, but I feel certain that the progress and development outlined above are sufficient to enable you to conclude with me that the success of this policy is most promising and that nothing should be placed in the way of continuing the present method for a sufficient period to determine definitely its net worth.

Sincerely yours,

GEO. H. DERN, *Secretary of War.*

MR. PARKS. Mr. Chairman, I imagine there is no one in this House who disagrees with the gentleman in his statement that we ought to increase, if possible, the number of our airplanes, but to add \$13,000,000 to this bill, in my opinion, would be utter folly.

We not only have not had deliveries of large numbers of the planes that have been appropriated for, but we absolutely cannot get delivery of them in a year's time. We have one factory alone making combat airplanes in the United States under current year appropriations, including a subsidiary outfit, and there is one other airplane concern



that is making a few of these large bombers—13, I believe—which cost such an enormous amount of money. If they will deliver to us today the number of planes we have on order and for which we have appropriated the money, in conjunction with the number of airplanes provided for in this bill, you will have your planes on a current basis, and by that I mean current with authorization.

Mr. ROGERS of New Hampshire. Would the gentleman yield at that point?

Mr. PARKS. Certainly I will yield to the gentleman.

Mr. ROGERS of New Hampshire. I think the memory of the Members of the House ought to be refreshed on the fact that we are now resorting to competitive bidding instead of purchasing by contract, which is causing a great deal of delay.

Mr. PARKS. Yes; and your competitive bidding has meant many months of delay in getting airplanes.

Now, as to Secretary Woodring, for whom I have the highest regard, as well as the Chief of the Army Air Corps, who testified they could not tell us why they have not got these planes for which we have appropriated, except to say that under the procurement procedure which now prevails, it takes time to get to the point of actually contracting for an airplane.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield?

Mr. PARKS. I yield.

Mr. RANDOLPH. Is not our best safeguard in the purchase of airplanes the fact that if we make an appropriation here, then they can call for a contract; in other words, we cannot make a contract until the appropriation has been made?

Mr. PARKS. Certainly; that is absolutely so.

I wish to call your attention to one other thing. The Appropriations Committee itself has suggested a saving, which the Chief of Staff and the Air Corps have said is satisfactory, whereby we save nearly \$3,000,000, which will buy 58 planes. This is done by reducing the spare engines from 100 to 50 percent. Some people think they ought to be reduced 75 percent.

Gentlemen, we ought not to run over the budget by this amount of money and throw it any more out of balance than it now is.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. PARKS. Yes.

Mr. MAY. Does not the gentleman agree with me, following his own statement, that we are many months behind, that such a delay in the procurement of planes is an argument in favor of the amendment of the gentleman from New Hampshire?

Mr. PARKS. When you have the money and have not been able to buy them, why will giving you more money enable you to buy them?

Mr. KENNEY. Mr. Chairman, will the gentleman yield?

Mr. PARKS. I yield.

Mr. KENNEY. Can the gentleman tell us how many up-to-date, first-class planes we have at the Isthmus of Panama at the present time?

Mr. PARKS. So few I am ashamed to tell the gentleman.

Mr. KENNEY. About a couple of them?

Mr. PARKS. Oh, no; they have more than that. I saw them down there, but practically all the planes we have are planes that are 4 or more years old, but they have had the authority and the money to buy more and our difficulty is that it takes so much time to buy them.

Mr. KENNEY. Is it not true that they have only had one or two in the last 2 years?

Mr. PARKS. I do not know how many they have obtained recently. I maintain that this bill carries enough money to do everything that the Budget says we ought to do at this time and more. We are providing here for 58 planes more than the Budget asked for.

Let me call your attention to one other thing. You have not any authority to buy 4,000 planes and if you had today \$100,000,000 more you could not buy 4,000 planes, if you bought planes of proven superior types.

Mr. BOILEAU. Mr. Chairman, will the gentleman yield?

Mr. PARKS. I yield.

Mr. BOILEAU. Does not the gentleman believe if we accepted this amendment and at the same time reduced the naval appropriations by about one-half we would have more nearly adequate national defense?

Mr. PARKS. The gentleman is asking me now something that I do not know about—

Mr. BOILEAU. The gentleman is an authority on this military proposition.

Mr. PARKS. But what the Navy is doing or is going to do is without my province.

Mr. BOILEAU. Does not the gentleman believe we would have better national defense if we spent a great deal more money for airplanes and cut the appropriations for the Navy by one-half?

Mr. PARKS. Now, you are, perhaps, asking for a biased opinion, because between the Army and the Navy I am inclined to lean toward the Army. I would be a biased judge and I might be wrong in giving an opinion.

Mr. Chairman, I have studied this matter and I say to you, I am just as much in earnest about procuring an adequate number of planes as any man in this House, but do not let us go blindly into it. We have got to maintain the credit, as well as the defense of this country, and do not let us run wild on this proposition.

Mr. ZIONCHECK. One hundred and eighty Navy men can take care of 500 Army men any day.

Mr. MAY. Will the gentleman yield?

Mr. PARKS. Yes.

Mr. MAY. Secretary Woodring testified before our committee that for lack of funds they were forced to pay a large price, whereas if they had had the money to make the contracts for a large number, they could have obtained them for a little more than one-half.

Mr. PARKS. Here is what you do. You go to one place and instead of buying 650 planes you buy very many more. Up to a certain number the unit cost is bound to be less. It is like buying anything in quantity; in most cases you would get a reduction.

I say it would be folly for us to authorize \$13,000,000 or \$25,000,000 or \$50,000,000 for planes that you cannot get, and it is useless and foolish to build up the amount of this bill under such circumstances.

Mr. DOCKWEILER. Mr. Chairman, I rise in opposition to the amendment. In my address the other day I pointed out what I thought was a pertinent fact. I think we are misled by reading the testimony that appears at our hearings. Unfortunately, there was not developed in that testimony the number of planes contracted in the past years from 1933 to date. But the hearings projected the number of planes we proposed to build if this bill is passed.

I have before me a letter from the War Department dated February 4 of this year, which says:

In response to your request for information regarding the airplanes to be delivered under various outstanding contracts as of December 31, 1935—

Why did we request that information? Unfortunately, the hearings do not include the information—

there is to be delivered, already appropriated for, a total of 752 planes through the War Department, aside from 515 or 565 planes appropriated for in the bill—because 50 planes are to be delivered to the State militia.

The contractors' names follow: Boeing, 23 pursuit planes under 1933 contract, 13 bombers under 1936 contract; Consolidated Aircraft, to be delivered, 50 pursuit planes under 1935 contract; Martin Co. to deliver 94 bombers, 17 of which were provided for under the 1934 appropriation bill, 15 of which under the 1935 appropriation bill and 62 of which were provided for under P. W. A. funds.

Mr. ANDREWS of New York. Mr. Chairman, will the gentleman yield?

Mr. DOCKWEILER. Yes.

Mr. ANDREWS of New York. What are the delivery dates specified in the contracts?



Mr. DOCKWEILER. I do not know that, but they are going to be delivered. Douglas, 80 bombers under 1936 contract, 47 observation planes under 1935 contract, 20 cargo planes under 1936 contract; Northrup, 210 attack planes, 78 of which were under 1935 contracts, 30 of which under P. W. A., and 102 under 1936 contract; Stearman, 26 primary training planes under 1937 contract; and North American Aviation, 82 basic training planes under 1936 contracts; and Seversky, 30 primary training planes under 1935 contract, making a total of 675, and also in addition to that there are 77 pursuit planes under the 1936 contract, making a total of 752. Added to that, this year's bill provides for 615 and 50 for the National Guard, and for next year we provide for 515, and there will be a total of brand-new planes of 1,782, and the law allows us only 1,800 planes, not counting some of the old ones, and several of them will not be washed out.

Mr. WILCOX. Mr. Chairman, I rise in support of the amendment. I call the attention of the House to the figures which the gentleman from California [Mr. DOCKWEILER] has just been referring to as applied to the testimony of the various War Department officials who appeared before his committee. In the testimony of General Westover we find the statement that including 282 planes which it is anticipated will be delivered during the current fiscal year the Army will have on hand on June 30, 1936, 777 planes, to which must be added an additional 480; and it is not very hard to calculate the number of planes which will be on hand when all of the contracts have been fully complied with.

According to his testimony these additional planes are to be delivered during the year 1937 and the year 1938. I also call the attention of the House to the testimony of General MacArthur, as reported on page 292 of the hearings before the committee, in which he made the statement that in order to keep the Army air force up to a proper standard it would be necessary to add 800 planes per annum. That would be necessary to take care of the obsolescence, the wrecks, and the crack-ups, and still you would not have the Army air force at proper strength. Eight hundred per year must be added if we are to ever increase the present strength of the air force. Less than that number will only take care of obsolescence and crack-ups. Whatever may be the figures, whatever you may add up and subtract, whatever the book-keeping entries and balance sheets may show, you cannot escape certain facts. The fact is, according to the Baker Board's report, and the agreement of all those in a position to know, that the G. H. Q. air force, which is the fighting portion of the air force, must have a minimum of 980 serviceable airplanes able to take the air at any time. The fact also cannot be disputed that there has never yet been assigned to the G. H. Q. air force more than 383 planes. The minimum requirement is 980, and the maximum amount ever supplied has been 383, and when the recent maneuvers took place in Florida, General Andrews was able to take the air with only 162 serviceable planes. Nine hundred and eighty is the minimum requirement and 162 is the maximum with which he can take into the air at any time. That is the maximum number in which he can afford to risk the lives of his officers and men. It is no reflection upon the officers and men of the Air Corps, or the G. H. Q. air force, to say that we really have no air force worthy of the name. Such as we have is of the finest quality. No more gallant or efficient officers or men exist in any air force in the world, but they are pitifully few in numbers when compared to the strength of a possible enemy.

Mr. REILLY. Mr. Chairman, can the gentleman give the House any information as to what is the life of a plane?

Mr. WILCOX. Five years. Twenty percent must be set aside for obsolescence every year.

Mr. ROGERS of New Hampshire. I call the gentleman's attention and the attention of the House to the report of the Appropriations Committee on page 11. Speaking about the number of planes it says that every one of these would be planes of metal construction, none less than 5 years old.

Mr. WILCOX. I call attention to one other statement which has appeared both in the report and in the statement

by the gentleman from California [Mr. DOCKWEILER] in which he says that by 1938 we will have the minimum requirement of the 1926 Air Corps Act, provided next year we have an additional appropriation for an additional 515 planes. In other words, if the next Congress shall do its duty, and if in the meantime through obsolescence, crack-ups, and washouts we shall not have wiped out more than the anticipated amount, then by the end of the fiscal year 1938 we will have caught up with the minimum requirements of the 1926 act, which should have been put into effect not later than June 30, 1931.

We are already 5 years behind the program as set up in the Air Corps Act of 1926; and even according to the gentleman's own figures, we will be 2 years yet in reaching the minimum requirements of that act. In other words, if we provide for 515 more planes in next year's appropriations, then by July 1, 1938, we will be where we should have been in 1931. We are now in sixth place among the nations in the matter of air forces, and at our present rate of development and at the speed with which other nations are building up their air forces we will soon be in seventh place.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. WILCOX. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield?

Mr. WILCOX. Yes.

Mr. RANDOLPH. Is it not a fact that in the deliveries for the years 1936 and 1937 we will still have losses totaling more than 250 more than the deliveries of that period?

Mr. WILCOX. The opinion of well-informed people in Army circles is that at the end of the period we will have less serviceable planes than we have now.

Mr. Chairman, I am just as much in sympathy with this matter of economy and balancing the Budget as any man in Congress, but I submit to you, in all fairness, that this is not the place to practice economy. This is a matter of national existence. [Applause.] Upon this thing depends the existence of the country. I submit to you, in all fairness, that we should not begin practicing economy at this point.

I want to call attention to one other item in this bill. There is in this bill an item of \$32,000,000 for coast defenses; the old-fashioned gun—to shoot at a battleship if it gets within 20 miles of the coast. The coast-defense gun, in the presence of aircraft, is as useless as a slingshot. No battleship is ever going to get within range of a coast-defense gun until after the coast defenses have been destroyed by aircraft. If you want to get the money to meet the requirements of the amendment offered by the gentleman from New Hampshire, you can get it by reducing the amount of the appropriation for these worthless, obsolete coast-defense guns, which saw the end of their usefulness when the airplane came into being.

I know, Mr. Chairman, that this is a big appropriation bill, and I realize that the pacifists are going to raise a hue and cry about it, but, in conclusion, I want to call attention to two things:

First. The reason it is necessary to pass such a large appropriation bill at this time is because for 12 years our national defense was neglected. We are trying to catch up with the procession. We are doing now what should have been done 5 or 10 years ago.

Second. Let me say that our national safety and security and the protection of our country and the preservation of our institutions demands that we build an adequate air force, and that we do it now.

The CHAIRMAN. The time of the gentleman from Florida [Mr. WILCOX] has again expired.

Mr. BOLTON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I find myself in a very difficult position, as I am greatly in sympathy with the amendment and the remarks offered by the gentleman in favor of the amendment. On the other hand, as I endeavored to point out yesterday,



I do not think we should advocate the expenditure of large sums of money for an increase in our air force beyond the figure recommended by the committee until we have corrected or improved our methods of procurement. As I tried to explain, and as will be found in the hearings, the time of procuring a plane today is from 2 to 3 years in duration. And, further, we find that our entire procurement program is in the hands of about four airplane companies, which are producing as rapidly as they can, their designs having been agreed to.

It may sound strange to say, but one factor which has contributed somewhat to the delay in following out our previous programs has been the ability of our industry to improve aircraft so that by the time we have gone through the red tape and been able to actually place a contract someone in the industry has brought out something better. I understand that the Air Corps sends out requests to bid to sometimes as many as 100 concerns who are manufacturing aircraft and its equipment. As a rule, the actual bidders are anywhere from 3 to 10 companies that bid on a specific type of aircraft. One of these companies eventually gets the business and goes to work on a production contract; the others go to work on new developments and have to bid on other types of planes. With the placing of this business with the companies in business changing from year to year, we have a situation whereby there are usually each year five or six well-equipped, experienced companies with very little business to enable them to keep their overhead down, maintain their staff of highly trained engineers and research experts, and keep their experienced labor as a group. This is very important to the Government, which would like to keep in business a nucleus of an efficient aircraft manufacturing industry with a surplus-producing capacity over the usual year's requirements to fall back on in a national emergency. The delay through one reason or another of placing orders for the procurement of aircraft and for the building up of authorized air forces during the past few years has had a very serious effect upon this manufacturing nucleus, which, like insurance or a dress suit, we are going to need immediately when we need it.

A legislative committee has been studying this matter for the past 2 or 3 years, and, as I understand it, no definite conclusion has been reached as to the proper method of procurement. Certain changes have been made in the War Department, and I think they are along the right lines; but I do believe that with our vast airplane industry a period of 2 or 3 years to procure planes is altogether too long.

Mr. MAY. Will the gentleman yield?

Mr. BOLTON. I will be glad to yield to the gentleman, who is a member of the legislative committee and probably understands this situation much better than I do.

Mr. MAY. I want to say to the gentleman, fearless of contradiction in the matter, that the evidence before both the Military Affairs Committee and the Appropriations Committee, coming from officers and representatives of the War Department, is overwhelmingly in favor of a proceeding that would carry into effect this amendment, while the only opposition to it is the recommendation of the Director of the Budget.

Mr. BOLTON. I beg the gentleman's pardon. As I said before, we are probably all in sympathy with increasing our air force, to bring up to the proper size; but I do not think we want to expend money unless it is done in the proper manner. I do not believe the manner in which we have purchased our airplanes in the past 5 years has been a proper expenditure, when we have appropriated over \$97,000,000 for airplanes and have not been able to increase our air forces; but, on the other hand, have seen our number of serviceable airplanes decline. I maintain something is wrong in that method of procurement, and until that method is changed, I am not in favor of these tremendous expenditures beyond what has been recommended.

Mr. McSWAIN. Will the gentleman yield?

Mr. BOLTON. I yield.

Mr. McSWAIN. The gentleman from Ohio, having expressed surprise that I had any information regarding the influence of Italian bombers upon the maneuvers of the

British fleet, I beg to advise him that in the New York Times of February 9, 1936, in a comment by a distinguished military critic, among other things, he says:

It is common knowledge that when the possibility of hostilities arose last autumn the bulk of the British fleet was withdrawn from its historic base at Malta to the extremities of the Mediterranean, a striking testimonial to the strategic influence of air power on sea power.

Mr. BOLTON. I quite believe in that. I believe in a sufficient and proper air force, but, as I said today, the legislative committee having had this matter under consideration for 2 or 3 years should report to us the proper method of procurement before we authorize the expenditure of additional vast sums of money.

Mr. McFARLANE. Will the gentleman yield?

Mr. BOLTON. I yield.

Mr. McFARLANE. Will the gentleman outline his ideas of procurement and just what his committee has in mind as to the ideas of procurement?

[Here the gavel fell.]

Mr. BOLTON. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes, in order to answer the gentleman from Texas.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BOLTON. I do not pretend to be an expert on the method of procurement, but I did suggest in my discussion yesterday two or three methods which I thought might speed up the method of procurement. On the other hand, that is being studied by the Military Affairs Committee, and I hope today's discussion will hasten a report or recommendation from them.

[Here the gavel fell.]

Mr. ZIONCHECK. Mr. Chairman, I move to strike out the last word.

I was not in the Chamber and did not hear the entire speech of the gentleman from Florida [Mr. WILCOX], but I got the general gist of it. In other words, antiaircraft guns are useless; machine guns are useless; airplanes are all-effective. Well, it is a peculiar thing, Mr. Chairman, when you talk to the different divisions of the Army and Navy that have to do with these different activities. When you talk to those in charge of antiaircraft guns they will tell you that the airplane does not have a chance within 10,000 feet.

They have 5-inch guns with a projectile 36 inches long, and it is so timed that it will explode at 8,000, 9,000, 10,000, or 11,000 feet; and when it explodes it throws steel for 80 yards in every direction. A killing range of 80 yards! That is one thing. It is very easy to go to moving-picture shows and see a battle, a vicious battle, put on as only a movie director can put one on—planes winging over on their backs, you know, pilots with goggles on, sparks flying around, machine guns sputtering, and all that sort of thing; and then he turns the nose of his plane down and makes a power dive at 400 miles an hour and drops his bomb on the battleship. But we must remember that in reality these battleships have machine guns which shoot shells 4 or 5 inches long, and, speaking subject to correction, at the rate of 300 or 400 a minute; and when they hit they do not tickle.

You hear of airplanes and their effectiveness, and you hear of radio and electricity. Right now a method is being worked on whereby electricity is sent over a radio beam of such force that it will short circuit the spark plugs and electrical system of the airplane; and when this happens, somehow or other, the airplane gets tired and drops to the ground or water—you know. All these things are going on.

Mr. Chairman, most of the talk here today, including the talk of the great statesman from Nevada, who happens to be in the other Chamber, and a great statesman from Illinois who happens to be in the other Chamber, and all this war scare is nothing more nor nothing less than an effort to stimulate business for the munitions makers; and why? They do not want to kill people; they are good people; they like their families; but they like their profits. The only way they can make profits is to stimulate this business; and the only way they can stimulate their business is to have the gentleman from California say there is a "Jap" around every corner, the



gentleman from Texas, "By God, a Mexican behind every cactus bush!" You know how it is. [Laughter.] "We have got to protect this country." And then if that does not work, they have got to yell "Communist" and "internal enemies." Well, as I said yesterday, Mr. Chairman, if we have to keep increasing Army appropriations for internal enemies, we are building for fascism or nazi-ism, not democracy.

[Here the gavel fell.]

Mr. McFARLANE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am heartily in favor of adequate national defense. I believe that we will never accomplish this end as to our air forces unless and until we follow the lead of every other great power in the world and enact legislation requiring a unified air force. As it is we now have about nine separate branches of the Government purchasing aircraft equipment and the two principal arms of national defense, the Army and Navy, each being primarily interested in their particular branch of the service, with the result that they have kept back our program in national defense in the air.

I have previously shown you by information inserted in the CONGRESSIONAL RECORD (p. 3864, 73d Cong., 2d sess.) how woefully weak our position in the air is compared to that of the other nations of the world. I have previously pointed out that practically all worth-while accomplishments and records in war-plane air performance are now held by foreign nations; that we have in this country today only two principal motor aircraft manufacturing concerns, Pratt & Whitney Co. and the Wright Aeronautical Co.; and that these two concerns sell both branches of the service, and have since 1926 sold them practically all of their aircraft engines. These motors are largely the same motors these concerns sell to our commercial lines at home and abroad.

I have previously placed in the RECORD charts showing interlocking hook-up of the different aircraft concerns in the Nation, which I think shows conclusively the existence of an "air trust"; also charts comparing the latest known performance of every war plane and war-plane engine in the world (see pp. 10044-10054, CONGRESSIONAL RECORD, 73d Cong., 2d sess.).

The recent hearings before the Committee on Patents at New York investigating cross licensing and patent pooling, and other information available, clearly shows to what extent these agreements under the Manufacturers Aircraft Association have permitted the Air Trust to completely control and dominate this industry. Something must be done to eliminate the evils existing under these cross-licensing and patent-pooling conditions, not only this industry but of many of the great industries existing of the Nation, such as radio, telephone, oil, shoe manufacturing, and other industries. These monopolies, secured and existing largely through Government-given patent rights and cross-licensing and patent-pooling agreements, should be broken up.

Investigations made of the operations of the aircraft industry convinces me that this industry has a stranglehold on the procurement divisions under the operation of existing law. The Aircraft Act of 1926 should be carefully amended and mandatory provisions written in the law requiring open competition in the procurement of all aircraft supplies and accessories. The law as it now reads is vague, indefinite, and uncertain, and allows the procurement branches of the Army and Navy large discretionary powers in the purchase of aircraft supplies.

In addition to that the Aircraft Act of 1926 made an exception and took out from under the General Accounting Office the authority which they have over all departments of Government except these two departments of saying whether or not such contracts entered into have been actually and specifically carried out according to the law. The Secretary of War and the Secretary of the Navy determine whether or not the provisions of this law have been complied with. The results under the Aircraft Act of 1926 show that according to the Comptroller's records, which I have inserted in the CONGRESSIONAL RECORD, pages 10038 to 10043, Seventy-third Congress, second session, that 92 percent of such equipment

in the Army and 91.3 percent of the Navy's aircraft equipment has been purchased without competitive bids.

Subsection K of section 10 of this act reads as follows:

The Secretary of War or the Secretary of the Navy may, at his discretion, purchase abroad or in the United States with or without competition by contract, or otherwise, such designs, aircraft, aircraft parts, or aeronautical accessories as may be necessary in his judgment for experimental purposes in the development of aircraft or aircraft parts or aeronautical accessories of the best kind for the Army or the Navy, as the case may be, and if as a result of such procurement new and suitable designs considered to be the best kind for the Army or the Navy are developed, he may enter into contract, subject to the requirements of paragraph (J) of this section, for the procurement in quantity of such aircraft, aircraft parts, or aeronautical accessories without regard to the provisions of paragraphs (a) to (e), inclusive, hereof.

While the Judge Advocate Generals of both the Army and Navy since the creation of this act have held that the act requires open competition, according to the Comptroller's records these Departments have not followed the rulings of the Judge Advocate General's Department. Since the above-quoted section and other sections of this act are not clear, we should amend same, writing mandatory provisions into the law requiring competition in the purchase of all aircraft equipment. Then we can correct the monopolistic system that has grown up under our patent law and the advantages taken of same by big business generally. We should have honest competition all the way up and down the line, which should save the taxpayers of this country in their purchases for the Government, as well as for themselves, hundreds of millions of dollars annually.

I trust that the House Military Affairs Committee will bring forward a bill amending this act, bringing about the results suggested.

Mr. ROGERS of New Hampshire. Mr. Chairman, will the gentleman yield?

Mr. McFARLANE. I yield.

Mr. ROGERS of New Hampshire. I hope the gentleman does not accuse me of being a member of any group or committee that has not been in favor of competitive bidding.

Mr. McFARLANE. No; I think the gentleman from New Hampshire has done as much as any Member of the House to try to get honest competition in the procurement of aircraft, but we have not been able to amend the law.

Mr. McSWAIN. Mr. Chairman, will the gentleman yield?

Mr. McFARLANE. I yield.

Mr. McSWAIN. And give the gentleman from New Hampshire and some of the other members of the committee credit for making the Army Air Corps obey the act of 1926 and accomplish competition; and we are doing that now as the letter from the Secretary of War appearing on page 5 of the report dated August 15 last shows.

Mr. McFARLANE. I am glad to give the gentleman from South Carolina [Mr. McSwain], the chairman of the Military Affairs Committee, and the gentleman from New Hampshire [Mr. Rogers] and his subcommittee full credit for their splendid work in bringing to light the methods of procurement in the Army which has had some effect in curbing their aircraft-procurement methods for the time being. I am familiar with the fight the gentleman from South Carolina [Mr. McSwain] and the now Speaker of the House [Mr. BYRNS] made at the time the Aircraft Act of 1926 was enacted to write into law provisions that would require competition. They thought they were enacting a law that would bring about this result, but time has shown that these departments have disregarded this law in the past.

Mr. McSWAIN. Exactly.

Mr. McFARLANE. The law is not clear.

Mr. McSWAIN. But they are tracking the law as it was intended they should.

Mr. McFARLANE. I understand that they are now, but they have not been in the past. You will remember that the procurement divisions of both the Army and the Navy have ignored the requirements of the law as to competition in the past and have only agreed to follow same since our investigation committees have exposed them. Who knows but what these procurement divisions will again disregard the law and buy their aircraft equipment without open com-



petition. The money being appropriated under this and other bills and allocated under W. P. A. funds amounts to millions of dollars. The mistake Congress made was in letting the War and Navy Departments construe their own contracts. We will never have satisfactory open competition on aircraft procurement until this law is rewritten and mandatory provisions written in defining step by step the kind and character of open competition required. The other leading foreign powers have adequately met this procurement situation, and we should be able to do likewise. They have yearly stepped up their requirements of performance until they have far excelled us in the performance of their war planes. They have competition. When they do not have competition they cross license their engines and manufacture their planes, and so forth, themselves.

As I have frequently stated, I think the law should be clearly written, so that there will be no question or doubt left as to the system of procurement, and all along the line we ought to have honest competition. The law is not clear on that now, and before we authorize any future expenditures of money we ought to clarify the Aircraft Act of 1926 so that we can get honest competition and bring our aircraft up to a point where it is comparable to other nations.

Mr. WOODRUM. Will the gentleman yield?

Mr. McFARLANE. I yield to the gentleman from Virginia.

Mr. WOODRUM. May I direct the gentleman's attention to the fact that in addition to the 565 new planes which the committee has provided, the Navy is given \$26,000,000 for 333 new planes, which will give the United States a total of approximately 1,000 new planes for the next fiscal year. This is vastly more than the available facilities will be able to manufacture and deliver to us.

Mr. McFARLANE. The gentleman is correct. However, as I see it, we should immediately set to work and amend existing law, making it mandatory to have open competition for all aircraft procurement under the supervision of the Comptroller's department. We should amend our patent laws so as to protect the inventors and the public against the cross-licensing and patent-pooling agreements existing, under which the different trusts are further enriching themselves at the expense of the public. This Congress will be derelict in its duty if it does not do this at this session. [Applause.]

[Here the gavel fell.]

Mr. BOILEAU. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. BOILEAU moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

Mr. BOILEAU. Mr. Chairman, in 1932 a high authority in the Navy Department made the statement that for national-defense purposes, for the purpose of protecting our frontiers, our harbors, and coast line, the Navy was practically useless. He further stated the only real defense that could be afforded against invasion was through land fortifications, mines, submarines, and the Air Corps. I am heartily in accord with his views in this respect. I assume that most of the Members of this body are also generally in accord with these views, because during the last few days when there has been talk about national defense, time after time Members have taken the floor and said that the real defense for this country and for our territories is through the air, through land fortifications, and so forth.

Mr. Chairman, the distinguished gentleman from Texas [Mr. BLANTON] the other day stated that so long as we have a sufficient number of 16-inch guns along our frontiers that could shoot 27 miles out into the ocean there would be no danger of foreign battleships attempting to invade our country. The gentleman from New Hampshire [Mr. ROGERS], who has made a study of the air situation and is an authority on that proposition, for whose opinion I have the highest regard, stated within the last day or two in debate on this floor that the air is now our first line of defense. How many times have we heard people say that the Navy is the first line of our defense? This statement may have been justified a few years ago. Today, however,

the air is our first line of defense and the Navy is practically obsolete.

Then, too, we have heard the gentleman from Arkansas, chairman of the subcommittee on War Department appropriations, state that he would prefer not to give an opinion as to the advisability of largely reducing the size of our Navy in favor of a larger air force. He did not give us the benefit of his opinion. We have heard the distinguished gentleman from South Carolina [Mr. McSWAIN], for whom every Member of the House has the highest regard, and who, as chairman of the Committee on Military Affairs, understands this entire problem of national defense, refer to the Italian bombing planes scaring away the fleet of another nation. He did not say it in so many words, but his argument convinced me, if I was not previously convinced, that the Air Corps and not the Navy is the force that is going to keep any navies away that might otherwise contemplate an invasion of this country. I have not heard anyone express a contrary opinion during the debate of the last few days. Yet distinguished and influential Members of this body, gentlemen who serve on the Military Affairs Committee, gentlemen who serve on this Appropriations Committee, have expressed the view, not directly but by inference, that airships make the Navy absolutely obsolete. I want to ask those gentlemen to be on the floor of the House when the Navy appropriation bill comes up for consideration. I ask them, I implore them, on behalf of economy and on behalf of national defense, to assist us in our effort to reduce the size of this obsolete Navy. Instead of rebuilding obsolete ships, let us take them out of commission. I want to say to you gentlemen who believe in an adequate air force that if you will help us to prevent useless expenditures for the construction and maintenance of a Navy that is out of date for defensive warfare, I, for one, will vote for five airplanes to replace every battleship you are willing to destroy, and will do so with the firm conviction that we will thereby be improving our national defense. [Applause.]

Mr. BLANTON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I want to commend my friend the gentleman from South Carolina [Mr. McSWAIN] for the unselfish and splendid work he has been doing for national defense. I happen to know that he spent most of his vacation, giving up his needed rest, his pleasures, and conveniences at home, and facing the dangers of the air in going about in planes over the United States checking up the needs and necessities of the Army. He has done a wonderful work.

But, he and our good friend over there want a well-balanced, well-coordinated national defense which does not depend altogether on the air or upon any other particular branch of the service. It does not depend altogether on the sea, and it does not depend altogether on the land. It depends upon all forces wisely balanced and coordinated.

Mr. Chairman, to be well balanced and well coordinated there has to be a proper air force for both offense and defense; there has to be a proper antiaircraft offense and defense; there has to be a proper coast defense. There has to be a proper infantry and a proper cavalry and a proper artillery. There has to be proper ordnance and munitions, both supply and storage. There has to be proper tank corps, and gas corps, both offense and defense. There has to be proper motorization and mechanization. There must be a well-balanced navy, both for offense and defense. All of the needed and necessary component parts of an adequate national defense must be well balanced and coordinated to be most effective.

There are numerous questions that enter into a properly balanced and a properly coordinated national defense. Who is better prepared to pass on these questions than high Army officers and high Naval officers who after a lifetime of study and experience give their best judgment to your committees? Who is better prepared to pass on these matters than the legislative Committees on Military and Naval Affairs and the subcommittees of appropriations that handle the Army bill and the Navy bill? Are they not better prepared to act on these questions after hearing the evidence and receiving the best judgment of our military and naval authorities than someone who has not had the



advantage of the testimony of these gentlemen who make a life study of such questions?

Mr. ROGERS of New Hampshire. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Certainly; and I wish to commend also my friend the gentleman from New Hampshire for the splendid work he has done. It has been valuable, effective, unselfish work.

Mr. ROGERS of New Hampshire. I thank the gentleman, but I simply did not want any misapprehension about this matter. The gentleman does not mean the Committee on Military Affairs has approved this recommendation as made by the Appropriations Committee.

Mr. BLANTON. I mean merely that all of us are doing the very utmost we can for adequate national defense within the financial limitations with which we are restricted, considering the question as a whole—a well-balanced, coordinated national defense. Why, I may say that if this subcommittee, of which I am a member, which has brought in this bill now, for money to carry on the military establishment, could have done so, and if our Government now could have afforded the money, and if we were not circumscribed by Budget limitations, by the financial policy of the President, which we must take into consideration when we are voting money out of the Treasury, we would probably have placed additional items in this bill aggregating \$100,000,000 additional, which we think is absolutely necessary for adequate national defense. There are a whole lot of things that must be taken into consideration. Why, we need badly a proper air base, well manned, well equipped, well conditioned, up in the country near Fairbanks, Alaska. We need another such base in the Seattle country. About \$30,000,000 is needed for construction and housing. We need many things.

I will say to my friend from Wisconsin, Mr. BOILEAU, I did not say, as he intimated, that we could depend altogether on 16-inch guns. I meant merely that they were a needed component part of the well-balanced, coordinated national defense which our committee believed was absolutely necessary for our safety.

[Here the gavel fell.]

Mr. BLANTON. Mr. Chairman, I ask unanimous consent to extend my remarks.

Mr. BOILEAU. Mr. Chairman, reserving the right to object, I have no desire to object to the gentleman's request to extend his remarks, but the gentleman started to refer to the gentleman from Wisconsin, and if he is going to make any such statement, I would like to have it made on the floor, and I therefore ask unanimous consent that he be given 2 additional minutes.

Mr. GRAY of Pennsylvania. Mr. Chairman, I object.

Mr. BLANTON. Mr. Chairman, I had already obtained permission to extend my remarks, but I have said all I care to say, hence will not avail myself of it.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

The CHAIRMAN. The question is on the motion of the gentleman from Wisconsin.

The motion was rejected.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from New Hampshire, as modified.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of New Hampshire: Amend title I by striking out, on line 18, page 34, "\$59,397,714" and inserting "\$72,397,714"; and on line 21, page 34, strike out "\$41,055,925" and insert "\$54,055,925"; and strike out, on line 2, page 35, "\$29,322,602" and insert "\$42,322,602."

Mr. PARKS. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

Mr. GRAY of Pennsylvania. Mr. Chairman, I object.

Mr. PARKS. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 10 minutes.

The motion was agreed to.

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Mr. KENNEY. Mr. Chairman, I rise in support of the Rogers amendment.

Mr. Chairman, I am going to vote for the Rogers amendment, and I hope it will prevail.

It must be obvious to Members of the Congress that aviation is not getting its proper consideration anywhere in this Government. It plays second fiddle to everything. It is second fiddle in the Army and in the Navy. It is second fiddle in the Department of Commerce and in our Post Office Department. Before aviation is properly recognized we shall have to set up a separate department of the Government devoted to the interests of aviation.

The gentleman from California has told you that we have many contracts outstanding for airplanes that are not being filled. Is the heart of the Army in aviation? The Army makes aviation subservient, as do all the other departments of the Government. We have got to wake up, because aviation is now our vital defense. You cannot call it the first line or the second line or the third line of defense; it is our real national defense.

This country is not invulnerable, and no country is today. Why? Because of the airplane. The plane has leveled mountains and dried up the seas. It can carry an attack upon us by remote nations practically overnight. We must have planes and plenty of them for our defense. The plane which can make daily contact between the Atlantic and Pacific and reach any part of the world within a week will do much to break down enmities and misunderstandings between nations and promote better relationships. But we should have them first of all for our own defense.

We must see conditions as they are. We realize the importance of a strong air force and the development of aviation, but we have been lax in aviation and in the method of dealing with it. When aviators and men interested in aviation come to Washington it is never to appear before an aviation body as such, but always to be confronted by a committee or body where aviation, all-important aviation, is an incidental or secondary consideration. We do not appreciate the state in which aviation finds itself.

Let us make the appropriations as provided in the Rogers amendment. This Congress will make no mistake if it votes for the amendment of the gentleman from New Hampshire [Mr. ROGERS], who has done so much in the interest of aviation. [Applause.]

Mr. RANDOLPH. Will the gentleman yield?

Mr. KENNEY. Yes.

Mr. RANDOLPH. Is it not a fact that a battleship costs more than two and a half times the amount called for in this amendment?

Mr. KENNEY. Yes; the gentleman is correct.

Mr. RANDOLPH. And is it not a further fact that this Congress can do no better service to the national-defense program and the protection of our homes than to now, and not when it is too late, provide for the necessary air force with which to safeguard our Republic from those who might attack us?

Mr. KENNEY. Absolutely; and I thank the gentleman for his contribution.

Mr. WOODRUM. Mr. Chairman, I do not believe there is any very serious difference of opinion in the Committee on the importance and desirability of building up our air force, both in the Army and the Navy.

I appreciate the enthusiasm and earnestness in which these gentlemen are advocating piling up money in this bill for new planes. If it were possible to get these planes, there might be some argument for it, but gentlemen must realize that this amendment is only a gesture.

Mr. ROGERS of New Hampshire. In the right direction.

Mr. WOODRUM. Yes; in the right direction, but still it is nothing but a gesture.

I have here a statement in my hand of 675 planes authorized and appropriated for undelivered today—23 pursuit planes contracted for in 1933 not yet delivered, and the actual list of them down the line. We provide in this bill for 565 new planes for the Army. That is 58 planes more than the Budget or the President, as Commander in Chief of the Army, asked for. If we appropriate in the next fiscal



year for 565 more, an orderly and conservative program, it will give us 1,882 planes, and under the law we are authorized to have only 1,648 planes.

Mr. ROGERS of New Hampshire. Mr. Chairman, will the gentleman yield for a question, in order to be fair?

Mr. WOODRUM. I yield when the gentleman says "in order to be fair."

Mr. ROGERS of New Hampshire. The gentleman should make a fair estimate of loss through attrition and otherwise.

Mr. WOODRUM. I am talking about new planes. We are giving you 565 new planes for the Army. If we give you 565 new ones next year, it is more than any airplane factory in America can make and deliver, and no one will deny that statement. In addition to that, we are giving you in the Navy bill \$26,000,000 for 333 new planes for the Navy, or approximately 1,000 new planes. Where is the man who can say that that is not an orderly and conservative program? Where is the man who can say that the Commander in Chief in the White House today is a leader who will starve the national defense of this country? However much you may disagree with some of his fiscal or political policies, certainly no one can say that the President of the United States, who has asked for this appropriation and which we are giving him, is not in favor of an adequate national defense. So I say, Mr. Chairman, there is no reason for us to become emotional today.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM. Yes.

Mr. BANKHEAD. Is it not a fact that at this time there are between forty and fifty million dollars authorized for airplanes still unexpended?

Mr. WOODRUM. Absolutely. There is a wide diversity of opinion here. I am not a member of this subcommittee, but this committee has given careful thought and the Budget has given careful thought to this matter. The committee, realizing the sentiment of the country for a stronger and better air force, has gone beyond the Budget estimates. I plead with the House, every Member of whom, as I say, must go back to his district when the time comes and answer for unnecessary appropriations, not to appropriate money where it cannot be used. It will be merely a gesture, and that is all. [Applause.]

The CHAIRMAN. The time of the gentleman from Virginia has expired. The question is on the amendment offered by the gentleman from New Hampshire, which, without objection, the Clerk will again report.

There was no objection; and the Clerk again reported the amendment of Mr. ROGERS of New Hampshire.

The question was taken; and on a division (demanded by Mr. ROGERS of New Hampshire) there were—ayes 26, noes 63. So the amendment was rejected.

The Clerk read as follows:

#### REPAIRS OF ARSENALS

For repairs and improvements of ordnance establishments, and to meet such unforeseen expenditures as accidents or other contingencies may require, \$936,184.

Mr. BUCK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BUCK: Page 41, line 4, strike out "\$936,184" and insert in lieu thereof "\$986,184."

Mr. BUCK. Mr. Chairman, the purpose of this amendment is to provide the sum of \$50,000 for the repair and improvement of the existing wharf at Benicia Arsenal, Calif. The wharf is in a bad state of repair and is in a dangerous condition. It has been an asset to the Government throughout its lifetime. Benicia Arsenal lies at the north end of San Francisco Bay, on the Strait of Carquinez. It is the only arsenal on the Pacific coast. Ordnance of all kinds is constantly moving into it and out from it. A great part of all goods that come into the arsenal is brought, at a saving to the Government, by water and landed at this wharf.

The original item, I believe, was requested by the Bureau of Ordnance. The subcommittee on War Department appropriations in its wisdom has seen fit to reduce the item

allowed for repairs of arsenals by over \$132,000,000, which, I am informed, will make it impossible to reconstruct or repair this wharf and may result in its abandonment. The present freight saving that is now earned for the benefit of the Government then could not be maintained.

I consider that this is a matter of economy and not a matter of extravagance or expense. After listening to some of the requests during the course of the debate on this bill running into millions and millions of dollars, I feel that perhaps I am only asking for a piece of small change this afternoon. But it is an important and necessary piece of small change. I am doing it in good faith, because I know the necessities of Benicia Arsenal, its importance to any scheme of coast defense, and the necessity of keeping this particular transportation facility open.

[Here the gavel fell.]

Mr. PARKS. Mr. Chairman, I have a great deal of sympathy for my distinguished friend from California [Mr. BUCK]. I am sure if his were the only item, the committee would not have hesitated to bring it in here. We have two books full of items awaiting appropriations. They are all meritorious items; but we cannot make fish of one and fowl of the other. For that reason, and that reason alone, I must express the hope that this amendment will not be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. BUCK].

The amendment was rejected.

The Clerk read as follows:

Civilians: For pay of employees, \$301,350.

Mr. COCHRAN. Mr. Chairman, I move to strike out the figures "\$301,350."

Mr. Chairman, on numerous occasions I have talked to the House with reference to the activities of the Military and Naval Academies insofar as football is concerned. I have had an exchange of letters with the superintendents of both academies time and time again. I have endeavored to show that no section of the country supports the Military Academy and that no section of the country supports the Naval Academy, but the people of the entire United States pay taxes to maintain the academies and train the boys. Of course, we are all proud of these two great institutions. However, when it comes to playing the annual football game between the two academies, it seems that the superintendents cannot get beyond a few miles of the Atlantic coast.

I notice in the hearings where General Connor says that they paid \$25,000 for the stadium in Philadelphia last year to play the Army-Navy game. In addition to that, they let them have 9,000 of the best tickets at the current price. I do not know what they sold those tickets for, and I am not saying that they sold them above the current prices, but I do know that if anybody around Washington had any tickets to the Army-Navy football game last fall they could have received \$25 a pair for them, as there was a big demand for tickets at any price.

Mr. Chairman, I believe there are other cities in the Union—Pittsburgh; Cleveland; Cincinnati; my own city, St. Louis; Detroit; Chicago; and other places—that have ample facilities to take care of the Army-Navy football game. I will guarantee now if they will come to St. Louis and play the Army-Navy football game it will not cost them a cent for a place in which to play the game.

There is no doubt in my mind but that the ball park can be secured for this purpose and that the owners would be glad to donate the park for that purpose. If they wanted rent, then I think public-spirited St. Louisians would see that the rent was taken care of, no matter what it might be. They can make just as much money, if not more money, because we will be willing to give them all the receipts. The people of the Middle West feel they are entitled to see the two teams play, and with our good roads and present transportation facilities there is no doubt but we would have a crowd of well over a hundred thousand people willing to pay to see the game.

Mr. KLEBERG. Will the gentleman yield?



Mr. COCHRAN. I yield.

Mr. KLEBERG. I wonder if in this coming centennial celebration in the great State of Texas at Dallas, it would not be a wise proposition for both academies to visit that great State and play the Army-Navy football game there?

Mr. COCHRAN. I will say to the gentleman his section has just as much right to have the Army-Navy football game as has New York, New Haven, Philadelphia, Baltimore, or any other place. Of course, it would be wise, because it would be the best advertisement the Army and Navy could get. We from the Middle West, Southwest, and Rocky Mountain States support appropriations for an adequate national defense, and our people are entitled not only to see this football game but also the cadets and midshipmen on parade. Do not overlook the fact that the cadets and midshipmen are equally divided among the congressional districts throughout the country. Our section likewise furnishes many of the outstanding players. Why should we not be able to see them in action?

I have spoken on this question time and time again. General Connor has it in his head that they are not going to play this game anywhere except, as I say, along the Atlantic coast. I think it is time that those of us who come from other sections of the country, who support these bills, and whose constituents pay taxes the same as the people in the East, should make a fight to require the Army and Navy to play some place other than where they have been playing these games. I have been fighting for years to get them to come west. I am applauded when I make these speeches, but what are you doing to help break this policy of only playing in the East?

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. COCHRAN. Yes.

Mr. BLANTON. The entire cadet force of West Point and the entire midshipmen force of Annapolis always want to see these games, and for them to attend at any great distance from the academies is onerous on them, and it costs a lot of money to travel and pay hotel bills. I imagine this is the sole and only reason the game is played at Philadelphia or New York.

Mr. COCHRAN. The gentleman says that is the sole and only reason. I will tell the gentleman what the sole and only reason is. According to General Connor, to play the games anywhere else would keep the boys away from their studies too long. He did not say a word about expense.

The Army and Navy annual football game pays all the expenses of the athletic activities at the Military Academy. The boys, of course, want to see the game and will be taken wherever it is played and at the expense of the academies, or I should say, the money will be taken from the receipts so it is not the expense that is involved. It is just a custom that has grown up and we should insist that they change their policy. Is General Connor and the Superintendent of the Naval Academy bigger than Congress? Why not serve notice that they must play elsewhere? I am going before the subcommittee when it considers the naval appropriation bill. I want them to talk to the new Superintendent of the Naval Academy on this subject. Why they are arranging their schedules several years in advance, and I was informed by a high-ranking officer of the Army that one of their reasons is to be able to say it is too late now we are booked up for so many years. That might be true as to the games they play with certain universities but as to the Army-Navy game we can change that anytime and possibly we can work out a limitation that we can put on one of these bills that will require them to change their established policy.

[Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. COCHRAN. It will only mean trouble for me to have the Army and Navy football game in St. Louis. I had one experience 10 years ago when they played the game in Chicago. I do not know how much money I lost buying tickets for St. Louisans. My friends thought I secured the

tickets for nothing. Nevertheless I will welcome the trouble. I insist that the Army and Navy officers have no right to say that the Army-Navy football game should be played only along the Atlantic seaboard, and I appeal to Members from the West, the Middle West, and the Southwest to wake up to this fact and bear down on the officials. [Applause.]

[Here the gavel fell.]

Mr. McSWAIN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, on yesterday I asked my friend, the chairman of the subcommittee, if it were not true that the increase of Cadets at the Military Academy was made in contemplation of the increase of the officer personnel from 12,000 to 14,000 officers. I ask him now if it has not been the demand of the War Department for the last 8 or 10 years that the officer personnel be increased to 14,000?

I also asked my friend if it were true that if there were no increase in the number of officers contemplated there was no need for increasing the Cadet Corps, because, by his own statement, and I know it is correct, the average number of graduates for the last 8 years has been 278 a year, whereas the average separations from the service for the last 6 years have been 267. So there have not been sufficient separations for the last 6 or 8 years to enable all the graduates under the old authorized Cadet Corps strength to receive commissions; and we all know that for the last 7 or 8 years nobody could get a commission in the Army except a graduate of the Military Academy. But as I showed yesterday, due to the large number of separations from the service, over 800 during the 18 months prior to the 1st of January, and due to this alone, 52 graduates of the Air Corps training center at San Antonio, Tex., were able to get commissions, and one or two others got commissions. When the National Guard did not get any, when enlisted men in the Regular Army did not get any, one or two civilians got commissions in the Regular Army. I am just throwing this out as a query; maybe sometime we shall find out why they got them.

I submit, Mr. Chairman, that the purpose of increasing the Cadet strength was to raise the officer strength from 12,000 to 14,000. This is substantiated by reference to page 4 of the Report of the Secretary of War for 1935, where he states that to increase the enlisted strength to 165,000 would necessitate an officer strength of 14,000. We have increased the enlisted strength to date, it is admitted, by 29,000. If an increase of 47,000 enlisted men under the War Department study demanded 2,000 additional officers, then an increase of 29,000 enlisted men would demand 1,234 officers. That is the ratio, the old rule of three ratio; and the Secretary of War himself in his report expressly says that the increase of the Cadet Corps strength up to 1,960 would not supply the demands of the Army if it were raised to 165,000 enlisted men. What does he say? He says: "Hence, to provide any increase in commissioned strength it would be necessary to draw young men from civilian life." What source do they propose to draw from? General Craig, following General Pershing and following General MacArthur, made this statement—

[Here the gavel fell.]

Mr. McSWAIN. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McSWAIN. Mr. Chairman, General Craig, page 34 of the hearings, when asked about this Thomason bill, speaking of the value of civilian officers and those graduated from the R. O. T. C., said:

They would be most valuable for two reasons: First, it would help our crying need for officers—

That is what they have been crying for for 8 or 10 years. That is why my friend wanted to increase the cadet strength last year—

In the second place, if you take the 100 best qualified officers in the Regular service, in my opinion, you will find about an equal proportion of them come from civilian sources.



In other words, General Craig says, in effect, that of the best officers in the Army half of them are not from the Military Academy. He says—and I agree with him—that we must have the Military Academy. I am suggesting that the 50-50 ratio that General Pershing and General MacArthur demanded, and that General Craig stands for, is the right ratio.

Mr. Chairman, the statement is made: "That is all right; we agree with you, but do not start now." These boys from the R. O. T. C. colleges all over the country are in your State and my State. You know the boys. They have been asking you for commissions in the Regular Army ever since the bill passed last summer. If we do not start now and give them a chance now, they will never have a chance, because in 1939 there will be 636 boys, provided some do not fall by the wayside, and assuming there is a 10-percent leakage, there will be nearly 600 boys, graduate in the class of 1939 from the Military Academy. If there are only 254 vacancies by attrition, and if we are not going to increase the authorized strength, then some of these West Point boys will not get a chance for a commission. The next year after that, 1940, there will be 665 graduate, unless some of them fall by the wayside; and if 10 percent fail, there will be about 600 graduates hungry for commissions.

Mr. WADSWORTH. Will the gentleman yield?

Mr. McSWAIN. I yield to the gentleman from New York.

Mr. WADSWORTH. Do I understand that we can expect, after the increment from West Point has been in effect 2 or 3 years, we are to have over 600 graduates a year?

Mr. McSWAIN. That is true for the first 2 years, because they came in on a hump. For those 2 years we will have an average of 600.

[Here the gavel fell.]

Mr. PARKS. Mr. Chairman, I think we have gone as far as we should with the reading of the bill this afternoon. Therefore, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PARSONS, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill H. R. 11035, the War Department appropriation bill, had come to no resolution thereon.

#### RULES OF THE HOUSE

Mr. SHANNON. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. SHANNON. Mr. Speaker, as one opposed to gag rules, I have just signed the petition to bring the Frazier-Lemke bill before the House for consideration.

The old Cannon rule permitted the absolute smothering of a bill by committee. This rule was changed when the House voted for a rule permitting a bill to be brought out if 145 Members requested it. This rule was later amended so as to require 218 signers to bring out a bill.

Here we have a measure which meets with the approval of a great majority of the membership of the Committee on Agriculture, which had the bill for consideration; that Committee unanimously requested the Rules Committee to provide a rule to bring the bill out of the clogged-up morgue of House bills from which it is absolutely impossible for a bill to be brought before the House for action; the Rules Committee did not report the rule. Those sponsoring the bill have had, for months and months, within one or two or three of the required number of signers to bring the bill forth, and have frequently had a sufficient number of signers to bring it out when some influence was brought to bear upon signers to withdraw their names.

Under those circumstances, it is incumbent upon those opposed to gag rules to sign this petition. In signing it a Member is not bound to vote for the measure. At this moment I feel that I shall not vote for it, but I am opposed to the stifling of the bill by any group. The bill should be brought out and fully discussed and acted upon.

The House of Representatives has always been considered to be the popular branch of Congress. It is supposed to be close to the people, its Members being returned to office every 2 years. Legislation is always limited to a 2-year session of a Congress. Therefore, any legislative act must be completed within 2 years.

Here is a bill that comes from the people with the solid congressional delegations of well over 20 States having signed the petition to let the measure come out on the floor. Thirty-one State legislatures have memorialized Congress to consider this legislation. The great agricultural States of the country, primarily interested, are either solidly behind it or have a majority of their Representatives favoring it. The Senate committee holds hearings and votes the bill out unanimously. The House Committee on Agriculture has hearings and votes the bill out 18 to 5. The House committee petitions the Rules Committee to "bring out a rule" which will entitle the measure to open debate. The Rules Committee refuses this request. The 14 members of the Rules Committee have not a majority favoring this legislation. Therefore, 8 of them can, under ordinary circumstances, defeat the will of farm organizations, the petitions of State legislatures, the solid representations of over 20 States in the House, and liberal elements in all States who want a discussion of this measure.

I understand it is an ancient custom for the chairman of a committee not to petition to bring out a bill and discharge another committee. There are 42 committee chairmen in the House. However, 17 chairmen have broken this tradition and have signed the petition for this bill.

So my great popular measure may be smothered, not by the requirement that a committee deliberate on it and vote it out—which is right—but by the additional requirement that a single committee of 14, the Rules Committee, charged with the day-to-day legislative program, may defeat the open discussion of legislation until 218 free from tradition and free from custom vote it out.

President Roosevelt, when he was Governor of New York, made a beautiful and powerful statement outlining the way in which bills are stifled. He did not mention this method, because it was not within his vision, as a Governor, that 8 Members out of 435 could kill a bill.

#### VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES— INDIAN SCHOOLS (H. DOC. NO. 409)

The SPEAKER laid before the House the following veto message from the President of the United States:

#### To the House of Representatives:

I return herewith, without approval, H. R. 8515, "An act to provide funds for cooperation with Sanish School District No. 1, Mountrail County, N. Dak., for extension of public-school buildings to be available for Indian children."

The bill authorizes the use of \$10,000 "from any moneys now available and applicable, or that may become applicable hereafter available, for construction under provisions of the National Industrial Recovery Act." No provision is made for repayment of the amount expended for the improvements. It appears that the taxable real estate in the school district involved is valued at \$302,888, and the valuation of nontaxable Indian land is \$16,000. The enrollment in the school in question during the last year was approximately 200, including only 9 Indian children. Tuition was paid for the Indian pupils at the rate of 30 cents a day. It will be noted that less than 5 percent of the enrollment is composed of Indian children, and the value of nontaxable land in the district is only 5½ percent of the total value. This in itself is sufficient to warrant disapproval of the bill. There is another objection, however, which I desire to bring to the attention of Congress.

During the first session of the Seventy-fourth Congress a number of similar bills were passed and presented to me for signature. I was somewhat reluctant to approve those bills because they provided direct grants from Federal money and made no provision for reimbursement to the United States. Furthermore, improvements would be located on land, title to which was not in the United States, and in



many instances on land outside of the boundaries of Indian reservations. Upon completion of the buildings the Indian Service would continue to pay tuition from Federal funds for each and every child attending these schools. It seemed to me that the Federal Government should not be required to advance funds for capital investments and continue thereafter to pay the same liberal tuition rates for the Indian children accommodated in these schools. Thereafter, when estimates were submitted to Congress pursuant to the authorizations contained in the numerous bills passed, provision was made for reimbursement of the capital investment over a period of 30 years, without interest, either through reduction in annual tuition payments or the acceptance of Indian children in those schools without payment of tuition. Congress, in its review of the matter, went even farther and directed that interest at 3 percent should be collected on all unpaid balances.

I am informed that the school districts involved have been somewhat reluctant to accept the requirements laid down in the Second Deficiency Act, fiscal year 1935, and until public-school districts indicate a willingness to repay amounts advanced for enlargement of local public-school facilities, legislation such as that contained in H. R. 8515 should not be enacted.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, February 13, 1936.

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Mr. ROGERS of Oklahoma. Mr. Speaker, I move that the bill and the message be referred to the Committee on Indian Affairs and ordered printed.

The motion was agreed to.

#### SUPPLEMENTAL REPORT ON MEXICAN-AMERICAN CLAIMS COMMISSION

Mr. McREYNOLDS. Mr. Speaker, I ask unanimous consent to submit a supplemental report on the bill (H. R. 10670) to amend section 11 of Public Law No. 30, approved April 10, 1935, to establish a commission for the settlement of the special claims comprehended within the terms of the convention between the United States of America and the United Mexican States, concluded April 24, 1934.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, what is this bill?

Mr. McREYNOLDS. The bill has to do with Mexican claims division. I reported on this matter a few days ago, but did not have the report complete. I desire to file a supplemental report.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. STARNES. Mr. Speaker, I have introduced today a bill with reference to immigration, and ask unanimous consent to proceed for 3 minutes and to include the bill as a part of my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. STARNES. Mr. Speaker, a proper solution of our immigration problem deserves the serious consideration of the Congress and every American citizen. According to the 1930 census there were 14,204,149 foreign born in the United States, of whom 6,284,613 were aliens who had failed to make the slightest gesture toward becoming citizens. The foreign-stock population at that time was 40,286,278, a third of our total population. This was the largest number in the history of the Nation.

During the past 10 years of quota-law restriction, during which the world has undergone the most serious economic depression in its history, 3,687,547 aliens have entered the United States, of whom 2,010,896 were new immigrants.

At least one out of every eight persons on relief in this country is an alien. Our relief agencies make no distinction between American citizens and aliens in administering relief. The Social Security Act makes no distinction in the application of its terms between American citizens and aliens. Hundreds of thousands of aliens are holding jobs in America, drawing hundreds of millions of dollars in wages, which are rightfully the heritage of American citizens. Alien criminals who are roving at large and preying upon American citizens should be deported. We are unable to check upon the number of aliens at large or the number coming into this country for lack of an alien-registration act.

In order to protect our wage standards, our living conditions, and our American institutions, and to reduce the relief burden, alleviate social conditions, remove our alien criminal population, and provide for an alien-registration act, I am introducing today a bill to be called the Immigration and Alien Registration Act of 1936.

This bill will (1) reduce immigration, (2) authorize the exclusion of any alien whose entry into the United States is inimical to the public interest, (3) prohibit the separation of families through the entry of aliens leaving dependents abroad, (4) provide for the prompt deportation of habitual criminals and all other undesirable aliens, and (5) to provide for the registration of all aliens now in the United States or who shall hereafter be admitted.

We must enact and enforce immigration laws which will place the welfare of America and Americans first. No other country pets and molycoddles its alien population as we do. Other countries take the proper and sensible view that in a country with established government and institutions for the promotion of the welfare of its citizens that these citizens are entitled to first consideration in every respect. America is no longer a wilderness to explore and conquer, nor a utopia for foreign exploitation. Let us therefore guard, protect, and preserve our own.

The bill to which I have referred is as follows:

H. R. 11172, Seventy-fourth Congress, second session  
February 13, 1936

Mr. Starnes introduced the following bill (H. R. 11172):

A bill to further reduce immigration, to authorize the exclusion of any alien whose entry into the United States is inimical to the public interest, to prohibit the separation of families through the entry of aliens leaving dependents abroad, and to provide for the prompt deportation of habitual criminals and all other undesirable aliens, and to provide for the registration of all aliens now in the United States or who shall hereafter be admitted

Be it enacted, etc.

#### TITLE I

SECTION 1. That an alien who entered the United States either from a foreign territory or an insular possession, either before or after the passage of this title, shall be promptly deported in the manner provided in sections 19 and 20 of the Immigration Act of February 5, 1917, as amended, regardless of when he entered, if he:

(1) At any time after entry is convicted of an offense which may be punishable by imprisonment for a term of 1 year or more, or of a crime involving moral turpitude, or convicted of two misdemeanors even though a sentence of imprisonment may not have been imposed for either offense; the said deportation to be made by the Secretary of Labor forthwith at the time he is released from confinement, or placed upon probation, or is pardoned; except that in the case of a misdemeanor, the Secretary of Labor may suspend deportation for a period not to exceed 12 months pending action by Congress on a recommendation that permission be granted the alien to continue his residence in the United States on good behavior; but nothing in this section shall be interpreted to exempt any alien from deportation who has entered the United States in violation of the immigration laws; or

(2) Has been convicted of possessing or carrying any concealed or dangerous weapon; or

(3) Knowingly possesses or carries any weapon which shoots, or is designed to shoot, automatically or semiautomatically, more than one shot without manual reloading by a single function of the trigger; or

(4) Has been convicted of violation of a State narcotic law; or

(5) Knowingly encouraged, induced, assisted, abetted, or aided anyone to enter, or try to enter, the United States in violation of law; or

(6) Has been engaged in espionage for a foreign government.

Sec. 2. (a) That any alien or group of aliens, whose presence in the United States is proclaimed by the President to be inimical to the public interest, shall, upon warrant of the Secretary of Labor, be taken into custody and deported forthwith.



(b) Whenever the President shall proclaim an emergency to exist in the United States the Secretary of Labor shall take into custody all aliens subsisting upon public or private relief and deport them forthwith to the country of their origin: *Provided, however*, That if any alien desires to leave voluntarily for the country of his origin, or for another country, the Secretary of Labor is authorized to facilitate such voluntary departure.

Sec. 3 (a) That from and after July 1, 1936, the quota in the case of any nationality for which a quota has been determined and proclaimed under the Immigration Act of 1924, as amended, shall be 10 percent of such quota, but the minimum quota of any nationality shall be 100. From and after July 1, 1936, no immigration visas shall be issued under subdivision (c) of section 4 of the Immigration Act of 1924, but all the provisions of the immigration laws shall be applicable to immigrants born in any of the geographical areas specified in such subdivision as if each of such areas had at that time a quota equal to 10 percent (but not less than 100) of the number of nonquota immigration visas issued, during the fiscal year ending June 30, 1930, to immigrants born in such areas: *Provided, however*, That reciprocal arrangements may be entered into by the Department of State and the Department of Labor with the Dominion of Canada, Newfoundland, and Mexico whereby as many immigrants born in foreign contiguous territories as are admissible under the immigration laws of the United States, to continental United States are admitted to the United States annually as persons born in the United States are annually admitted into their respective countries.

(b) Section 6 of the Immigration Act of 1924, as amended, is further amended to read as follows:

"Sec. 6 (a). Immigration visas as to quota immigrants shall be issued in each fiscal year, as follows:

"(1) Seventy-five percent of each nationality for such year shall be made available in each year for the issuance of immigration visas to the following classes of immigrants: (A) Quota immigrants who are the fathers or the mothers or the husbands by marriage occurring after January 1, 1933, of citizens of the United States who are 21 years of age or over; and (B) quota immigrants who are unmarried children under 21 years of age, or the wives, or husbands, or the mother, or the father, of alien residents of the United States who were lawfully admitted to the United States for permanent residence.

"(2) Any portion of the quota of each nationality for such year not required for the issuance of immigration visas to the classes specified in paragraph 1, shall be made available in such year for the issuance of immigration visas to other quota immigrants of such nationality.

"(b) The preference provided in paragraphs 1 and 2 of subdivision (a) shall, in the case of quota immigrants of any nationality, be given in the calendar month in which the right of preference is established, if the number of immigration visas which may be issued in any such month to quota immigrants of such nationality has not already been issued; otherwise in the next calendar month."

Sec. 4. That from and after July 1, 1936, no immigration visa shall be issued to any married applicant for entry into the United States unless, at the time of application, he or she applies for visas for all dependents admissible as nonquota immigrants or entitled to preferences within the quotas under immigration acts in force at the time of the passage of this title: *Provided, however*, That nothing in this section shall exclude a child born in transit after issuance of a visa to a parent.

Sec. 5 (a). That from and after July 1, 1936, no immigration visa shall be issued to any applicant who shall fail to pass an intelligence test equivalent to, or higher than, a normal rating of an average sampling of native-born American white stock or whose reputation or personal characteristics in the judgment of the consul would render the applicant not readily assimilable among the preponderant element of the population of the United States.

(b) That if any member of a family fails to meet the requirements of subsection (a) of this section that fact shall exclude the whole family from admission to the United States.

Sec. 6. That the President may in his discretion direct the Secretary of State to deny a visa to any alien whose presence in the United States as a visitor or for permanent residence he deems inimical to the public interest, and it shall be the duty of the Secretary of State to bring to the attention of the President applications for entry by any person or persons not otherwise excluded whose activities or reputation fall within the purview of this section.

Sec. 7. That the ninth proviso of section 3 of the Immigration Act of February 5, 1917, be amended to read as follows:

"That the Commissioner of Immigration, with the approval of the Secretary of Labor, shall issue rules and prescribe conditions, including exaction of such bonds as may be necessary, to control and regulate the admission and return of otherwise inadmissible aliens applying for temporary admission solely for the purpose of receiving medical treatment not obtainable at an immigration station pending deportation."

Sec. 8. That section 1, subsection (a), of the act approved October 16, 1918 (40 Stat. 1012), as amended by the act approved June 5, 1920 (41 Stat. 1008), be amended to read as follows:

"(a) Aliens who are anarchists or Communists or aliens who are affiliated with any organization associated directly or indirectly with the Third International.

Sec. 9. That if any alien has been arrested and deported in pursuance of law he shall be excluded from admission to the United States whether such deportation took place before or after the enactment of this title; and if he enters or attempts to enter the United States after the enactment of this title he shall be guilty of a felony and upon conviction thereof shall, unless a different penalty is otherwise provided by law, be punished by imprisonment for not more than 2 years or by a fine of not more than \$1,000 or by both such fine and imprisonment: *Provided*, That this title shall not apply to any alien who has prior to its enactment obtained the lawful permission of the Secretary of Labor to reenter the United States and has reentered or who arrives in the United States with such permission within 60 days after this title becomes effective. For the purposes of this section any alien ordered deported (whether before or after the enactment of this title), who has left the United States, shall be considered to have been deported in pursuance of law, irrespective of the source from which the expenses of his transportation were defrayed or of the place to which deported. Section 7 of the act entitled "An act to further amend the naturalization laws, and for other purposes", approved May 25, 1932, is hereby repealed.

Sec. 10. The Secretary of Labor may specifically designate persons holding supervisory positions in the Immigration and Naturalization Service to issue warrants for the arrest of aliens believed to be subject to deportation under this or any other statute: *Provided*, That no person shall act under a warrant issued by himself.

Sec. 11. Any employee of the Immigration and Naturalization Service shall have power to detain for investigation any alien who he has reason to believe is subject to deportation under this or any other act. Any alien so detained shall be immediately brought before an immigrant inspector designated for that purpose by the Secretary of Labor and shall not be held in custody for more than 24 hours thereafter unless prior to the expiration of that time a warrant for his arrest is issued.

Sec. 12. The Commissioner of Immigration and Naturalization, with the approval of the Secretary of Labor, shall prescribe rules and regulations for the enforcement of the provisions of this title.

Sec. 13. The foregoing provisions of this title are in addition to and not in substitution for the provisions of the immigration laws, and shall be enforced as part of such laws. An alien, although admissible under the provisions of this title, shall not be admitted to the United States if he is excluded by any provision of the immigration laws other than this title, and an alien, although admissible under the provisions of the immigration laws other than this title, shall not be admitted to the United States if he is excluded by any provision of this title.

Sec. 14. Any person who violates or knowingly aids or assists another to violate or attempt to violate, or who conspires to violate, or conspires with any person to violate, any provision of the immigration laws for which a specific penalty is not provided, shall be deemed guilty of a felony, and on conviction thereof be punished by a fine of not more than \$10,000, or by imprisonment for not more than 5 years, or both.

Sec. 15. Terms defined in the Immigration Act of 1924 shall, when used in this act, have the meaning assigned to such terms in that act.

#### TITLE II

Sec. 201. There is hereby established an interdepartmental committee to be known as the Alien Registration Board, and herein after referred to as the Board, which shall be composed of one representative designated by the Secretary of State, one representative designated by the Attorney General, one representative designated by the Postmaster General, and one representative designated by the Secretary of Labor. The representative designated by the Secretary of State shall be ex-officio chairman of the Board.

Sec. 202. That the heads of the departments hereinbefore mentioned may temporarily assign other members of their departmental staffs to render expert advice or assistance to the Board: *Provided, however*, That no person designated as a member of the Board or as an expert attached thereto shall receive additional compensation to that which he already receives.

Sec. 203. That it shall be the duty of the Board to prescribe rules, regulations, forms, and procedure for the taking of a Nation-wide official registration and fingerprint record of all aliens now in the United States, except that diplomatic representatives of foreign nations and consular officers and members of their official staff duly accredited or recognized as such by the Government of the United States, and officials of foreign governments traveling under diplomatic passports shall be exempted from the provisions of this title.

Sec. 204. That no immigration visa shall be issued to any alien seeking to enter the United States unless said alien has been fingerprinted, in triplicate: one copy of the fingerprint record to be utilized by the consul in ascertaining whether or not the person making application for entry is the person whose name is set forth in the application and whether or not the applicant has a criminal record or other statutory disqualifications which would exclude him from entering the United States; the second copy of the fingerprint record to be attached to the alien's immigration visa to provide for verification of the immigrant's identity upon arrival at a port of entry of the United States; and the third copy of the fingerprint record, together with such other information as may be required by the Board, to be sent directly to the Division



of Identification of the Department of Justice for filing in the alien section of its noncriminal records.

SEC. 205. That on July 1, 1936, or at the earliest possible date thereafter, the President shall proclaim the rules and regulations under which every alien shall apply for registration at a United States post office and be finger printed, and supply such other information as may be called for by the Board respecting the alien's status, occupation, duration of stay, and intention to remain or depart from the United States. Upon registration, which shall be in duplicate, one copy shall be mailed to the Commissioner of Immigration and Naturalization, of the Department of Labor, Washington, D. C., and the second copy shall be mailed to the Director of the Division of Identification of the Department of Justice, Washington, D. C., for filing in the alien section of its noncriminal records. The Commissioner of Immigration shall issue a registration card to each alien registrant bearing a distinctive number and copy of the finger prints of the alien, the said registration card to be mailed to the address given by the alien upon registration.

SEC. 206. That the postmaster in any United States post office, or any employee in such post office designed by him, at which a registration shall be filed, shall collect a fee of \$1 for each first registration, and subsequently 50 cents for each renewal thereof. The funds so collected shall be turned into the general fund of the Treasury in such manner as may be prescribed by the Board.

SEC. 207. That it shall be the duty of every alien in the United States, who has been registered as hereinbefore provided, to notify the Commissioner of Immigration and Naturalization of the United States of every change of address, with a statement as to whether the change of address is permanent or temporary. If the change of address is permanent, it shall be the duty of the alien to turn in his registration card at the nearest post office and make application in accordance with regulations prescribed by the Board for the issuance of a new card; and every alien in the United States shall renew his registration annually at such dates as may be designated on his registration card.

SEC. 208. That it shall be the duty of the Postmaster General, with the assistance of the Attorney General, to provide for instructions whereby postal employees may be instructed in the manner of taking fingerprints upon sensitive paper approved by the Division of Identification of the Department of Justice.

SEC. 209. That the Attorney General shall instruct the Director of the Division of Identification of the Department of Justice to create a section in the Bureau of Identification to be known as the section of alien registration.

SEC. 210. That the board immediately upon its creation shall prepare estimates of appropriations necessary for putting into effect the provisions of this title and shall submit the same to the heads of the Departments referred to in section 201 of this title, for transmittal to the Director of the Budget with a recommendation for immediate action upon such supplementary appropriations as may be required.

SEC. 211. That any alien who shall fail to comply with the provisions of this title shall be punished by a fine of not more than \$1,000, or imprisonment of not more than 1 year, or both, and upon the payment of the fine or the completion of sentence, the alien shall be taken into custody on a warrant issued by the Secretary of Labor, and deported forthwith from the United States.

SEC. 212. This act may be cited as the Immigration and Alien Registration Act of 1936.

#### EXTENSION OF REMARKS

Mr. McFARLANE. Mr. Speaker, I ask unanimous consent to extend the remarks I made in the Committee today and include certain excerpts.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

#### COMMITTEE ON THE JUDICIARY

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may have permission to sit during the sessions of the House for the remainder of the week.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

#### THE TOWNSEND PLAN

Mr. BACON. Mr. Speaker, I ask unanimous consent to extend in the Appendix of the RECORD a very brief statement on the Townsend plan, made by Mr. Stuart A. Rice, Chairman of the United States Central Statistical Board.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BACON. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following statement by

Mr. Stuart A. Rice, Chairman of the United States Central Statistical Board, on the Townsend plan:

#### IS THE TOWNSEND PLAN PRACTICAL?

(By Stuart A. Rice, acting chairman of the United States Central Statistical Board, in presiding at a joint meeting of the American Statistical Association and the American Association for Labor Legislation, at Commodore Hotel, New York City, Dec. 28, 1935)

Dr. Townsend's demand for a revision of the science of arithmetic by law gives special timeliness to this discussion. Behind him is a long line of illustrious precedents. There have always been men who demanded that human will be elevated above fact, above reality, or above natural law. Sometimes the effort has succeeded. We are told that the seas parted for the children of Israel at the command of Moses. More often the attempt has failed. King Canute, possibly through lack of votes or the right statistical control, did not persuade the tides to obey his command. More recently there have been proposals to abolish history, but history has not yet disappeared. I anticipate the same with respect to the multiplication table which the Townsend plan, with the most commendable of motives would supplant.

Nevertheless it may be necessary to give some thought to this laudable proposal in connection with the topic we are discussing today. Whether old-age pensions are "worth their cost" requires some initial definition. What old-age pensions do we mean? The Townsend old-age bonanzas, or the carefully devised schedules of benefits and annuities permitted under the Social Security Act? And what kind of costs are we talking about? Fiscal only? Or in addition, the human costs of a scheme so cruelly mischievous, so crassly unworkable, so filled with possibilities of wreckage as the good Dr. Townsend and his assisting high-pressure promoters are seeking to foist on this country?

The possibilities of the Townsend plan will be more apparent if we try to estimate its effect had it been in operation since 1929. Let us assume for this purpose that it had not disrupted the economic order, as many think it would do. With equal fairness, let us assume that it had not produced the magical results witnessed by its devotees in their peyotelike visions. In other words, let us assume that the national income had remained the same. On this basis, what redistributions of national income would the Townsend plan have effected? How much would have gone for pensions? What would have been the incomes of nonpensioners, after the pensioners had taken their allotted portions?

According to the Fifteenth Census, the United States in 1930 contained a total of 10,385,026 persons 60 years of age and over. The numbers for 1929 and for 1931-34, inclusive, must be estimated.

#### I. Estimated number of persons 60 years of age and over

1929	10,120,000
1930	10,385,026
1931	10,650,000
1932	10,915,000
1933	11,180,000
1934	11,445,000

Each of these persons is to receive \$200 per month, or \$2,400 per annum. The amounts required for the years 1929-34 would be as follows:

#### II. Total pensions, at \$2,400 per person

1929	\$24,288,000,000
1930	24,924,000,000
1931	25,560,000,000
1932	26,196,000,000
1933	26,832,000,000
1934	27,468,000,000

Each and every year it would be necessary to raise sums of this magnitude by some form of taxation. Presumably these taxes would come from national income, since borrowings or accumulated capital could not long suffice. The following estimates of national income paid out were originally prepared by the Bureau of Foreign and Domestic Commerce in cooperation with the National Bureau of Economic Research, and as later revised are taken from the November 1935 issue of the Survey of Current Business:

#### III. Estimated national income paid out

1929	\$78,632,000,000
1930	72,932,000,000
1931	61,704,000,000
1932	48,362,000,000
1933	44,940,000,000
1934	50,189,000,000

The amount of the national income left over for the remainder of the nonpensioned population under 60 years of age will be the remainder of the items in III less the corresponding items in II:

#### IV. Estimated national income remaining for the nonpensioned population

1929	\$54,344,000,000
1930	48,008,000,000
1931	36,144,000,000
1932	22,166,000,000
1933	18,108,000,000
1934	22,721,000,000

The actual or estimated numbers of the nonpensioned persons under 60 years of age among whom this remainder of the national



Income is in each year to be distributed have been obtained in the same way as for the older population shown in I:

V. Estimated number of persons under 60 years of age

1929	110,990,000
1930	112,390,020
1931	113,200,000
1932	113,719,000
1933	114,295,000
1934	114,797,000

From IV and V, therefore, we may derive the per-capita annual income for the population under 60 as compared with the \$2,400 per annum for those of ages 60 and above:

VI. Per-capita incomes

	Pensioners	Nonpensioners
1929	\$2,400	\$490
1930	2,400	427
1931	2,400	319
1932	2,400	195
1933	2,400	158
1934	2,400	197

In other words, to employ the phraseology of Dr. W. S. Woytinsky, the Townsend plan would create a new privileged class, receiving Government pensions in amounts 5 to 15 times higher than the average income of the remainder of the population. And these pensions are in addition to any income that they may receive from other sources. To the extent that such supplemental income is received by this privileged class, in addition to its pensions, the amounts of the national income available for non-pensioners, as shown in VI above, would be correspondingly reduced.

Attention has been called by other critics to the pyramiding effect on prices of the proposed 2 to 3 percent tax on transactions, upon which Dr. Townsend depends for funds to pay the pensions. The possible yield from such a tax has not been so extensively considered. Careful estimates by Dr. Woytinsky indicate that the total volume of transactions subject to the proposed tax would probably not be far from the following figures:

VII. Transactions subject to tax

1929	\$200,000,000,000
1930	170,000,000,000
1931	135,000,000,000
1932	100,000,000,000
1933	95,000,000,000
1934	105,000,000,000

It is difficult to estimate realistically the rate of tax upon these transactions that would have been necessary to provide the \$200 pension for aged persons. Each successive tax would actually have raised the price involved in the next transaction, with the effect of compounding tax upon tax upon tax. The higher prices forced by successive taxes would increase the total money volume of transactions and, hence, lower the tax rate upon them.

If we stick to our assumptions, however, the physical volume of transactions and prices would have remained the same, and the rates of tax upon transactions would have been not 2 or 3 percent but in the neighborhood of the following:

VIII. Transactions tax necessary to pay pensions

	Per cent
1929	12
1930	15
1931	19
1932	26
1933	28
1934	26

To reasonable men and women the preceding figures will be plain. I shall not attempt to weaken their damning implications for the Townsend plan by further exposition or moralizing.

Mankind will always confront difficult and delicate problems associated with advancing age. The elderly must adjust themselves to an unwelcome but unavoidable dependency, physical and often financial. Within the intimate family group these adjustments deserve the tender patience and the ungrudging self-sacrifice of those who retain their vigor and their earning capacity. Within the broader structure of organized society the problems of age deserve the devoted solicitude and the generous provision of aid by the State itself.

But to take advantage of the emotions evoked by these desperately human problems to perpetrate a fraud upon old and young alike—what shall I say of it? I leave you to supply the appropriate expletives.

KALAMAZOO FEDERATION OF LABOR

Mr. MAIN. Mr. Speaker, I ask unanimous consent to insert in the RECORD a telegram of this date received from the Kalamazoo Federation of Labor.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The telegram referred to follows:

KALAMAZOO, MICH., February 13, 1936.

Representative VERNER MAIN,

House of Representatives:

Kalamazoo Federation of Labor strongly urges adoption of amendment to Army appropriation bill prohibiting use of Federal arms and equipment by militia in industrial disputes without formal authorization from Washington, and asks this wire be read into RECORD.

KALAMAZOO FEDERATION OF LABOR,

A. P. NEVINS,

Chairman, Education Commission.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. HARLAN, for 5 days, on account of congressional business in his district.

ENROLLED BILLS SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 10929. An act to amend the District of Columbia Unemployment Compensation Act with respect to excepted employment.

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 3612. An act to provide for loans to farmers for crop production and harvesting during the year 1936, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H. R. 10929. An act to amend the District of Columbia Unemployment Compensation Act with respect to excepted employment.

ADJOURNMENT

Mr. PARKS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 43 minutes p. m.) the House adjourned until tomorrow, Friday, February 14, 1936, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

666. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the legislative establishment, House of Representatives, for the fiscal year 1937, amounting to \$3,250 (H. Doc. No. 408); to the Committee on Appropriations and ordered to be printed.

667. A letter from the Administrator of the Federal Housing Administration, transmitting the second annual report on the operations of the Administration under titles I, II, and III of the National Housing Act for the calendar year 1935 (H. Doc. No. 358); to the Committee on Banking and Currency and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. GOLDSBOROUGH: Committee on Banking and Currency. H. R. 11047. A bill relating to taxation of shares of preferred stock, capital notes, and debentures of banks while owned by Reconstruction Finance Corporation and reaffirming their immunity; without amendment (Rept. No. 1995). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLAND: Committee on Merchant Marine and Fisheries. H. R. 3013. A bill to provide for the construction and operation of a vessel for use in research work with respect to Pacific Ocean fisheries; with amendment (Rept. No. 1996). Referred to the Committee of the Whole House on the state of the Union.



Mr. EICHER: Committee on Interstate and Foreign Commerce. H. R. 11073. A bill granting the consent of Congress to the State Highway Commission of Missouri to construct, maintain, and operate a free highway bridge across the Current River at or near Powder Mill Ford on Route No. Missouri 106, Shannon County, Mo.; without amendment (Rept. No. 1997). Referred to the House Calendar.

Mr. HILL of Alabama: Committee on Military Affairs. House Joint Resolution 488. Joint resolution to close Military Road; with amendment (Rept. No. 1998). Referred to the Committee of the Whole House on the state of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. JONES: A bill (H. R. 11138) to extinguish tax liabilities and tax liens arising out of the Tobacco, Cotton, and Potato Acts; to the Committee on Agriculture.

By Mr. McSWAIN (by request): A bill (H. R. 11139) to prohibit bands of the United States Army, Navy, Marine Corps, and Coast Guard from furnishing music on occasions beyond the scope of their service duty; to the Committee on Military Affairs.

Also, a bill (H. R. 11140) to provide more effectively for the national defense by further increasing the effectiveness and efficiency of the Air Corps of the Army of the United States; to the Committee on Military Affairs.

By Mr. RANKIN (by request): A bill (H. R. 11141) prohibiting the use of the Veterans' Administration facilities for furnishing medical and hospital care to persons not eligible; to the Committee on World War Veterans' Legislation.

Also (by request), a bill (H. R. 11142) authorizing and directing the Administrator of Veterans' Affairs to furnish to men discharged from the Army, Navy, Marine Corps, or Coast Guard who are suffering from service-connected disabilities, and who reside in foreign countries and are citizens of the United States, medical and hospital treatment; to the Committee on World War Veterans' Legislation.

Also (by request), a bill (H. R. 11143) fixing the effective date of an award of compensation, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. LAMNECK: A bill (H. R. 11144) to require certain employees of the Postal Service to work on Saturday and to allow compensatory leave for such work; to the Committee on the Post Office and Post Roads.

By Mr. McCORMACK: A bill (H. R. 11145) to expedite the dispatch of vessels from certain ports of call; to the Committee on Merchant Marine and Fisheries.

By Mr. BOYLAN: A bill (H. R. 11146) to provide Federal aid to States, municipalities, and political subdivisions of States for carrying out projects for housing for families of low incomes, and for other purposes; to the Committee on Appropriations.

By Mr. HILL of Alabama: A bill (H. R. 11147) for the relief of the State of Alabama; to the Committee on Military Affairs.

By Mr. HOPE: A bill (H. R. 11148) to provide annuities for certain widows of employees and retired employees of the United States and the District of Columbia; to the Committee on the Civil Service.

By Mr. McSWAIN (by request): A bill (H. R. 11149) to amend the National Defense Act of June 3, 1916, as amended; to the Committee on Military Affairs.

By Mr. BARRY: A bill (H. R. 11150) to reduce the rate of interest on obligations of homeowners to the Home Owners' Loan Corporation; to the Committee on Banking and Currency.

By Mr. PIERCE: A bill (H. R. 11151) to amend section 401 of the act entitled "An act to amend the Migratory Bird Hunting Stamp Act of March 16, 1934, and certain other acts relating to game and other wildlife, administered by the Department of Agriculture, and for other purposes", approved June 15, 1935; to the Committee on Agriculture.

By Mr. McMILLAN: A bill (H. R. 11152) to extend the retirement privilege to the Director, Assistant Directors, in-

spectors, and special agents of the Federal Bureau of Investigation; to the Committee on the Civil Service.

By Mr. KLOEB: Joint resolution (H. J. Res. 491) extending and amending the joint resolution (Public Res. No. 67, 74th Cong.) approved August 31, 1935; to the Committee on Foreign Affairs.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CANNON of Wisconsin: A bill (H. R. 11153) to correct the naval record of William Arthur Johannsenn (deceased); to the Committee on Naval Affairs.

By Mr. CREAL: A bill (H. R. 11154) granting an increase of pension to Mildred C. Sexton; to the Committee on Invalid Pensions.

By Mr. CROSBY: A bill (H. R. 11155) to authorize the Commissioners of the District of Columbia to reappoint George Kimmel in the police department of said District; to the Committee on the District of Columbia.

By Mr. DIETRICH: A bill (H. R. 11156) granting a pension to Clark M. James; to the Committee on Pensions.

By Mr. DIMOND: A bill (H. R. 11157) granting a pension to Frances H. Cochran; to the Committee on Pensions.

By Mr. EDMISTON: A bill (H. R. 11158) granting an increase of pension to Anzina L. Harper; to the Committee on Invalid Pensions.

By Mr. FLETCHER: A bill (H. R. 11159) granting an increase of pension to Barbara Cook; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11160) granting an increase of pension to Johanna E. Mouser; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11161) granting an increase of pension to Susan C. Palmer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11162) granting an increase of pension to Lucinda Lauck; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11163) granting an increase of pension to Cora L. Cole; to the Committee on Invalid Pensions.

By Mr. MILLARD: A bill (H. R. 11164) for the relief of Arthur Van Gestel, alias Arthur Goodsell; to the Committee on Military Affairs.

By Mr. THURSTON: A bill (H. R. 11165) for the relief of Gladys L. Dunn; to the Committee on Claims.

By Mr. WILCOX: A bill (H. R. 11166) granting a pension to Mary Hardy Milburn; to the Committee on Invalid Pensions.

By Mr. TAYLOR of South Carolina: Resolution (H. Res. 417) for the relief of Monnie Mae Brown and Dessie Mae Brown; to the Committee on Accounts.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

10088. By Mr. CRAWFORD: Petition of 60 residents of Shiawassee County, Mich., relative to printing of currency; to the Committee on Banking and Currency.

10089. Also, petition of 20 patrons of star route 37297, requesting legislation extending star-route contracts and for increased compensation thereon; to the Committee on the Post Office and Post Roads.

10090. By Mr. CUMMINGS: Petition of patrons of star route no. 65223, Kit Carson County, Second Congressional District of Colorado, urging enactment of legislation to extend existing star-route contracts and increase the compensation thereon; to the Committee on the Post Office and Post Roads.

10091. Also, petition of patrons of star route no. 65196, Arapahoe County, Second Congressional District of Colorado, urging enactment of legislation to extend existing star-route contracts and increase the compensation thereon; to the Committee on the Post Office and Post Roads.

10092. Also, petition of patrons of star route no. 65128, Larimer County, Second Congressional District of Colorado, urging enactment of legislation to extend existing star-



route contracts and increase the compensation thereon; to the Committee on the Post Office and Post Roads.

10093. Also, petition of patrons of star route no. 65122, Boulder County, Second Congressional District of Colorado, urging enactment of legislation to extend existing star-route contracts and increase the compensation thereon; to the Committee on the Post Office and Post Roads.

10094. Also, petition of patrons of star route no. 65201, Jefferson County, Second Congressional District of Colorado, urging enactment of legislation to extend existing star-route contracts and increase the compensation thereon; to the Committee on the Post Office and Post Roads.

10095. Also, petition of patrons of star route no. 65192, Arapahoe County, Second Congressional District of Colorado, urging enactment of legislation to extend existing star-route contracts and increase the compensation thereon; to the Committee on the Post Office and Post Roads.

10096. By Mr. CULLEN: Petition of the Senate and Assembly of the State of New York, urging Congress to enact legislation for permanent flood-control works in some 16 counties of central and southern New York State which were on the 7th, 8th, and 9th of July 1935 devastated by disastrous floods resulting in loss of life and tremendous property damage; to the Committee on Interstate and Foreign Commerce.

10097. By Mr. ENGLEBRIGHT: Petition of Siskiyou County, Calif., endorsing the Townsend old-age revolving pension plan; to the Committee on Ways and Means.

10098. By Mr. JOHNSON of Texas: Petition of J. W. Norman Beauty Shop, Dawson; G. W. Hopson Beauty Shop, Mexia; and A. B. Hutson, route 2, Corsicana, all of the State of Texas, protesting against House bill 10124; to the Committee on Interstate and Foreign Commerce.

10099. Also, petition of Ralph W. Stell, of Corsicana, Tex., favoring House bill 8442; to the Committee on the Judiciary.

10100. By Mr. KENNEY: Petition of M. Louise Gross and other citizens of the State of New York, endorsing the national lottery bill, introduced by Representative KENNEY, of New Jersey; to the Committee on Ways and Means.

10101. Also, resolution presented by the Italian Civic Club of Cliffside and Fairview, Inc., of New Jersey, petitioning for an extension of the present neutrality legislation; to the Committee on Foreign Affairs.

10102. By Mr. KNIFFIN: Petition of Albert K. Altafee and others of Montpelier, Ohio, urging the immediate enactment of the Capper bill designed to prohibit the advertising of intoxicating beverages; to the Committee on Interstate and Foreign Commerce.

10103. Also, petition of Parent-Teacher's Association of Hicksville, Ohio, strongly endorsing the Guyer bill and favoring its immediate enactment; to the Committee on the District of Columbia.

10104. By Mr. LAMBERTSON: Petition of Merton Thistlethwaite and 33 other citizens of Tonganoxie, and Anna Russell and 62 other citizens of Oneida, State of Kansas, favoring passage of House bill 8739; to the Committee on the Judiciary.

10105. By Mr. LAMBETH: Petition signed by 81 patrons of star route no. 18176, from Gilreath to Wilkesboro, N. C., urging enactment of legislation at this session of Congress that will indefinitely extend all existing star-route contracts and increase the compensation thereon to an equal basis with that paid for other forms of mail transportation; to the Committee on the Post Office and Post Roads.

10106. By Mr. MOTT: Petition signed by 44 members of the Eugene Central Woman's Christian Temperance Union, Eugene, Oreg., urging the enactment of House bill 8739; to the Committee on the District of Columbia.

10107. By Mr. PLUMLEY: Resolution of the American Legion, Department of Vermont, in convention assembled, that it go on record as favoring the passage of House bill 5921; to the Committee on Immigration and Naturalization.

10108. Also, resolution of the Barre Branch of the Granite Cutters' International Association, Barre, Vt., opposing the bill now pending before Congress, introduced by Representative KRAMER, to make it a crime to advocate the overthrow of

the Government by force and violence; to the Committee on the Judiciary.

10109. By the SPEAKER: Petition of various citizens of Camuy, P. R.; to the Committee on Insular Affairs.

## SENATE

FRIDAY, FEBRUARY 14, 1936

(Legislative day of Thursday, Jan. 16, 1936)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

### THE JOURNAL

On request of Mr. ROBINSON, and by unanimous consent, the reading of the Journal of the proceedings of the calendar days Wednesday, February 12, and Thursday, February 13, 1936, was dispensed with, and the Journal was approved.

### CALL OF THE ROLL

Mr. ROBINSON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Coolidge	Holt	Pittman
Ashurst	Copeland	Johnson	Pope
Bachman	Costigan	Keyes	Radcliffe
Bailey	Couzens	King	Reynolds
Barbour	Davis	La Follette	Robinson
Benson	Dickinson	Logan	Russell
Black	Dieterich	Lonergan	Schwellenbach
Bone	Donahey	Long	Sheppard
Borah	Duffy	McAdoo	Smith
Brown	Fletcher	McGill	Steiwer
Bulkeley	Frazier	McKellar	Thomas, Okla.
Bulow	George	McNary	Thomas, Utah
Burke	Gerry	Maloney	Townsend
Byrd	Gibson	Moore	Trammell
Byrnes	Glass	Murphy	Truman
Capper	Gore	Murray	Tydings
Caraway	Guffey	Neely	Vandenberg
Carey	Hale	Norbeck	Wagner
Chavez	Harrison	Norris	Walsh
Clark	Hatch	O'Mahoney	Wheeler
Connally	Hayden	Overton	

Mr. MURRAY. I announce that the Senator from Alabama [Mr. BANKHEAD] is absent because of illness; and that the Senator from Mississippi [Mr. BILBO] and the Senator from Nevada [Mr. MCCARRAN] are necessarily detained from the Senate.

I further announce that the Senator from Kentucky [Mr. BARKLEY], the Senator from Illinois [Mr. LEWIS], the senior Senator from Indiana [Mr. VAN NUYS], and the junior Senator from Indiana [Mr. MINTON] are detained on important public business.

I ask that this announcement may stand for the day.

Mr. McNARY. I announce that the Senator from Vermont [Mr. AUSTIN], the Senator from Rhode Island [Mr. METCALF], the Senator from Minnesota [Mr. SHIPSTEAD], the Senator from Delaware [Mr. HASTINGS], and the Senator from Maine [Mr. WHITE] are necessarily absent.

The VICE PRESIDENT. Eighty-three Senators have answered to their names. A quorum is present.

### SUSAN B. ANTHONY

Mr. WAGNER. Mr. President, I ask a few moments of the Senate's time to pay a birthday tribute to a great woman of America who lived the major portion of her life in the State of New York.

Abraham Lincoln and Susan B. Anthony were the two representative champions of freedom during the nineteenth century. One of them was born on February 12, 1809, to a poverty-stricken family in Kentucky. The other was born on February 15, 1820, to more comfortable circumstances in South Adams, Mass. One freed the colored man from physical slavery. The other liberated the white woman from a bondage that was both physical and spiritual.

Every schoolboy knows the life of Lincoln—knows by heart his early adversity, his homely wit, his majestic vision, his wisdom, his humanitarianism, his self-control, and his divine statesmanship. But why has Susan Anthony been a comparatively unheralded figure? Certainly the grace and maj-